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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. SIREs).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 30, 2007.

I hereby appoint the Honorable ALBIO SIREs to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 3 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. TAUSCHER) at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, we seek Your guidance and protection; yet, we are often reluctant to bend to Your ways. Help us to understand the patterns of Your creative hand. In the miracle of life and the transformation to light, You show us Your awesome wonder. Both the changing seasons and the dawning of each day reveal for us Your subtle but consistent movement during every moment of life.

Without a screeching halt or sudden curtain, You change darkness into light and provide a new day. Only week after week does Mother Earth strip herself and then blanket herself for winter. Guide us to imitate Your silent but relentless plan of transcendence.

Through the gradual building of consensus and the hard work toward responsible transition, may Your people all over the globalized world tire of competition and war and awaken to new ways of interdependence and peace.

For this we pray, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Louisiana (Mr. BOUSTANY) come forward and lead the House in the Pledge of Allegiance.

Mr. BOUSTANY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

EFFECTS OF ALTERNATIVE MINIMUM TAX

(Mr. ISRAEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISRAEL. Madam Speaker, one of the greatest financial assaults on America's middle class is the alternative minimum tax. Originally, it was meant to ensure that several dozen of the richest families in America paid their fair share of taxes, but it wasn't indexed for inflation, so it's robbing middle class taxpayers, like our union members, our cops, firefighters, teachers and nurses. Now, after too long, finally a real effort at reform is developing.

The Ways and Means Committee majority has unveiled a repeal of the AMT. Now, it's too early for me to say that I agree with every single element of this proposal. I am convening a panel of experts to assess it. But I am pleased that finally we are seriously addressing this middle-class rip-off. I want to thank Chairman RANGEL. I hope to work closely with him in achieving real reform and real relief for America's working families and middle-class taxpayers.

R&D TAX CREDIT

(Mr. ROSKAM asked and was given permission to address the House for 1 minute.)

Mr. ROSKAM. Madam Speaker, I rise today to raise awareness of the imminent need for Congress to extend and make permanent the research and development tax credit. The R&D tax credit is set to expire at the end of this year. At a time of increasing globalization, America's prosperity depends more than ever on its capacity to

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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innovate. For decades, our Nation's leadership in research has led to discoveries that have dramatically improved living standards around the world and given rise to new industries that have in turn created millions of new jobs.

Other countries are well aware of the significant economic benefits that flow from R&D activities, and many have created strong tax incentives designed to attract R&D investment around the world. In fact, 10,000 American companies will be able to take advantage of the permanency of the R&D tax credit. In my district alone, small and medium manufacturers, technology companies and leading research institutions will greatly benefit from this tax credit.

Let's not play politics with the lifeblood of our economy. Let's join together, both sides of the aisle, to extend the R&D tax credit.

SPENDING FOR CHIP VERSUS SPENDING IN IRAQ—THIS IS A QUESTION OF PRIORITIES

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRALEY of Iowa. Madam Speaker, the American people agree with the Democratic Congress: It is time to begin responsibly redeploying our troops from Iraq and investing much-needed funds here at home. Instead of beginning to spend less money in Iraq, the President is once again asking Congress to do more; a lot more.

Just last week, President Bush increased his request for additional Iraq funding to a total of \$189 billion next year, bringing the total cost for the war so far to over \$800 billion. Yet, the President has never proposed any way to offset this massive spending; instead, sinking our Nation deeper into debt.

This Democratic Congress and the American public have a different set of priorities. We believe in being fiscally responsible and implemented a pay-as-you-go system to stop piling debt on the backs of our Nation's children. That is why our children's health legislation, which helps 10 million children receive the health care coverage they deserve, is fully paid for.

Madam Speaker, the President's fiscal priorities are irresponsible and misplaced. He should be reducing the amount we are spending in Iraq so that we can again invest in domestic priorities, like children's health care.

NEED FOR PERMANENT R&D TAX CREDIT

(Mr. SALI asked and was given permission to address the House for 1 minute.)

Mr. SALI. Madam Speaker, global competition is a fundamental reality of today's economy. America is doing well because we offer the highest quality products in the world. Only by staying

on the leading edge of technology and innovation will our competitive edge stay sharp. Our competitive advantage will diminish unless our companies have the ability to perform research and develop the technology improvements that keep America out front. That is why we need a permanent R&D tax credit.

One recent study found that R&D credit teases out nearly \$3 of additional R&D investment for every \$1 of taxes companies can deduct. In addition, it has been estimated that more than three-quarters of R&D tax credit dollars are used for the compensation of employees who work in U.S.-based research and development.

In my home State of Idaho, roughly 35,000 people are employed in the high-tech industry. The companies where they work depend on the best possible research and development. It is hard for firms to plan for future growth when a key tax credit is destined to expire at the end of the year.

Madam Speaker, it is time to make the R&D tax credit permanent.

SCHIP VERSUS SPENDING IN IRAQ

(Mr. SARBANES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARBANES. Madam Speaker, once again, we have a vivid, vivid example of this President's misplaced priorities. Earlier this month, the President vetoed the Children's Health Insurance Program, which would have extended private health insurance coverage to 10 million children in this country at a reasonable investment of \$35 billion over a 5-year period. It costs too much, the President said. We can't afford it. Yet, last week the President requested additional funding for this misadventure in Iraq to the tune of \$189 billion. We can't find money for children and health care in this country, but we can find, apparently, endless supplies of dollars to fund the war in Iraq.

Madam Speaker, this President on this issue and on many other issues is gravely out of touch with the American people.

MAKE PERMANENT THE RESEARCH AND DEVELOPMENT TAX CREDIT

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Madam Speaker, in my home State of Michigan, we have hit some hard times, and recently things have become worse as Michigan's Governor and tax-hiking State legislators inflicted a massive tax increase on the people of Michigan.

While in Congress, I am going to do all I can to aid Michigan's comeback, providing incentives for manufacturers and their employees to innovate, grow and expand. For example, American

auto manufacturers spend \$20 billion a year on research and development, and such investment and innovation among American automakers should be encouraged.

One positive step Congress can immediately take to continue similar innovation is to make permanent the research and development tax credit. This legislation would keep high-tech, high-paying jobs in America by maintaining important incentives and enable American companies to grow, become more competitive globally, and ultimately result in additional high-paying American jobs.

I urge my colleagues to support H.R. 2138, the research and development tax credit, and encourage further investment and growth in our great Nation.

DEMOCRATS MAKE CHANGES TO ADDRESS REPUBLICAN CONCERNS AND IT IS STILL NOT ENOUGH

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, the children's health insurance legislation passed by the House last month was a bipartisan bill that provided health care coverage to 10 million American children. Although it received overwhelming support from the American people, from 43 Governors, and a veto-proof majority in the Senate, the majority of House Republicans rejected it and said they had specific concerns.

To address their concerns, House Democrats met with Republicans and introduced a revised SCHIP bill last week. We clarified three key points. One, there wasn't any possibility of higher income families being eligible; two, it further clarified that immigrants without documents would not have access to the program; and, three, it phased out over 1 year the coverage of childless adults.

But, Madam Speaker, Republicans in this body just can't take yes for an answer. Even after addressing their concerns in this revised bill, many of our colleagues still insisted on standing with President Bush, instead of with working American families.

IN SUPPORT OF A PERMANENT RESEARCH AND DEVELOPMENT TAX CREDIT

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Nebraska. Madam Speaker, I rise today in support of a permanent research and development tax credit. We are the strongest Nation on Earth, in large part because of the innovation inspired through research and development. This has been a driving force through our history, leading us to discoveries which add convenience, comfort and productivity to our lives.

In Nebraska, now more than ever, our rural businesses grow when people are willing to face the uncertainty and risks which others find daunting. In our increasingly competitive global economy, it is essential we ensure there is a permanent, meaningful incentive for all businesses to invest in research and development.

We live in a world with limitless innovation, and I look forward to seeing what the future will bring from further research and development.

URGING PRESIDENT TO SIGN SCHIP LEGISLATION

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Madam Speaker, just 2 weeks ago today, tens of thousands of residents from the Fifth Congressional District of Massachusetts supported my candidacy because they wanted to make sure that all our children have health insurance. Two days later, I began my service to the Fifth District by proudly voting to override President Bush's veto of a children's health care bill that had overwhelming bipartisan support.

Unfortunately, the veto was upheld, but the fact remains that millions of children that need health care don't have it.

Last Thursday, I again voted to expand the Children's Health Insurance Program, a program that was first developed in Massachusetts and is now critical to the newly enacted Massachusetts health insurance plan. Every concern raised by the President has been clearly addressed in this bill, but he still threatens to veto it.

I will stand with the strong bipartisan majority, ready to overturn this veto and give 200,000 children in Massachusetts and millions more across the country a chance at a healthy, safe future. I urge the President to sign the bill.

MOTHER OF ALL TAX HIKES—BAD FOR THE U.S. ECONOMY AND WORSE FOR AMERICAN TAXPAYERS

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute.)

Mr. BOUSTANY. Last week, Speaker PELOSI embraced the Democrats' \$1.3 billion tax scheme. The ink is barely dry, but she is already distancing herself from the mother of all tax hikes.

As reported in today's Hill newspaper, the Speaker's office has changed the transcript of her press comments to reflect that she supports Chairman RANGEL's "plan to begin tax reform," not his actual "tax plan."

Maybe the Speaker has caught on to what many Americans have discovered in the fine print. Maybe she figured out that the bill raises taxes on every U.S. taxpayer. Or it could be the part about resurrecting the death tax and penal-

izing small businesses and family farms that is causing her concern. Then again, it might be that she simply agrees that our Tax Code shouldn't punish a man and woman for getting married.

Madam Speaker, you can change the transcript, but you can't change the facts. The Pelosi-Rangel mother of all tax hikes is bad for the U.S. economy and worse for the American taxpayer.

□ 1015

NEW HAMPSHIRE IS RED SOX NATION

(Mr. HODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HODES. Madam Speaker, I rise today to celebrate Red Sox Nation. In this House, we often disagree on many issues of national importance, but today we are all part of Red Sox Nation. After trailing Cleveland 3-1 in the American League Championship Series, the Red Sox won seven straight games and won their second World Series crown in 4 years.

In my home State of New Hampshire, we are made up of diehard Red Sox fans, and we are a proud part of Red Sox Nation. There is no such thing as a fair-weather Red Sox fan. Granite Staters went four generations without being able to celebrate a Red Sox championship, and that is why it has been a great week and great year to be a Red Sox fan.

I also want to congratulate Mike Lowell on being named the MVP of the series. Now we can all finally get some sleep. Go Sox.

IN MEMORY OF THE STUDENTS WHO LOST THEIR LIVES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, this past weekend the University of South Carolina and Clemson University suffered a tragic loss when seven of their fellow students died in a house fire.

As a USC Law School graduate and parent of a current Clemson student, I know the sadness and grief so many must be feeling at this time, and our hearts and prayers go out to these two great communities. I know that the strength and companionship shared by the students, faculty, family and friends, led by President Andrew Sorenson of USC and President Jim Barker of Clemson, will help them through this difficult time.

I wish to express the deepest condolences on behalf of the House of Representatives, my family, and the people of South Carolina to the families and friends of those students who lost their lives. I especially grieve because my mother was a member of Delta Delta

Delta sorority at USC and my father was a member of Sigma Alpha Epsilon fraternity at USC.

In conclusion, God bless our troops, and we will never forget September the 11th.

MOMENT OF SILENCE IN MEMORY OF LIVES LOST

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Madam Speaker, it is with a heavy heart that I rise to memorialize the lives of Justin Anderson, Travis Cale, Lauren Mahon, Cassidy Pendley, William Rhea, Allison Walden, all students of the University of South Carolina which I proudly represent here in this body, and Emily Yelton, a student of Clemson University.

Madam Speaker, when young men and women go off to pursue education, their families hope for them a bright future and a long life. All seven of these young men and women lost their lives in a fire this weekend, and I join with those that I represent at the University of South Carolina in offering condolences to these families. I also say to the families of Clemson University, our hearts go out to all of them.

Madam Speaker, I ask that you and this body join me in a moment of silence in memory of these young people.

FUND OUR VETERANS

(Mrs. DRAKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DRAKE. Madam Speaker, this is day 30. That is 30 days so far our veterans have not had the use of the increased funding for their benefits and health care. That is \$18.5 million a day not able to be used. And why? Because the Democratic leadership has decided to not complete this bill and send it to the President who has agreed to sign it.

In June, this House passed this appropriation bill with a \$6 billion increase in a bipartisan manner. We were proud of our work and grateful to our veterans. On September 6, the Senate completed their bill. This work is done. Our veterans are not pawns in a political game. They are heroes.

America expects us to get the job done. America expects us to provide the best care to our veterans. Please join me in calling upon the Democratic leadership to put our veterans first and send this bill to the President now.

PRESIDENT DEMANDS BLANK CHECKS FOR IRAQ

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Madam Speaker, last week President Bush requested an additional \$42 billion from Congress for the wars in Iraq and Afghanistan, bringing his total funding request for the upcoming year to \$190 billion.

Also last week, the Congressional Budget Office released a report concluding that the wars in Iraq and Afghanistan will cost \$2.4 trillion over the next decade. That's nearly \$8,000 for every American.

Just imagine if we rejected the President's plan to continue the war in Iraq for another decade and worked instead to responsibly redeploy our troops out of Iraq within the next year. Rather than spending \$2.4 trillion over in Iraq, we could instead invest it here with our own people. This would be more than enough to provide every college freshman in our Nation with a free 4-year education at a private college or university. We could also use that money to provide health care coverage to every American for a year or could pay off 26 percent of our national debt.

UAW/CHRYSLER DEAL

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Madam Speaker, I rise today to applaud this weekend's ratification of the contract between the United Auto Workers and Chrysler. The new contract creates a stronger domestic auto industry and modernizes the relationship between the Big Three and labor.

The ratification by the rank and file signals a new day for the domestic auto industry that has been struggling for market share with its foreign competitors. And sincere congratulations to President Ron Gettelfinger of the UAW and his entire team on a job well done.

The industry still faces many challenges, but this new pact between the UAW and Chrysler and an earlier deal with GM means that both sides have come together to move the industry forward.

The good-faith negotiations proved that all of the stakeholders put the future of the domestic auto industry first as they worked towards manufacturing competitiveness.

This agreement secures jobs and allows the parties to move forward and to continue to create quality products and compete in the global marketplace. Again, congratulations. Well done.

HOMELESSNESS AND POVERTY

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Madam Speaker, today I rise to discuss poverty and homelessness in the San Gabriel Valley in the 32nd Congressional District. At least 43 percent of adults living below the Fed-

eral poverty line in L.A. County have worked either full-time or part-time. They have to balance rent or mortgage payments, child care, food, gas prices, and health care. The increasing costs can lead to homelessness if you can't make these payments.

In Los Angeles County, over 152,000 people are homeless over the course of a year; and in the city of Azusa, at least 1,500 children were homeless last year.

I am proud that Democrats have taken steps to reduce poverty and homelessness. In 2007, our farm bill raised the minimum benefit in the food stamp program for the first time in 30 years. For the first time in more than 10 years, we have raised the minimum wage and expanded American homeownership, and also would help to provide and ensure that low-income and middle-income families have affordable mortgage loans.

ANNIVERSARY OF NOVEMBER ELECTIONS

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Madam Speaker, we are fast approaching the 1-year anniversary of the November elections when the American people went to the polls demanding to take our Nation in a new direction.

Over the last 10 months, the new Democratic Congress has produced real results that are now making a real difference in millions of Americans' lives. For 10 years, Republican Congresses have refused to increase the minimum wage for nearly 6 million hardworking Americans. Democrats thought that was unacceptable, and one of our first actions was to ensure that these workers finally got a much-deserved and long overdue pay raise.

Democrats also realize it is difficult for middle-class parents to send their children to college. Over the last 6 years as wages have stagnated, college costs have increased 40 percent above inflation. This Democratic Congress passed and the President signed into law legislation that provides the single largest increase in college aid since the GI Bill, and this new law will allow more Americans to live the American Dream.

Madam Speaker, congressional Democrats are proud of these accomplishments, but they are only the beginning as we continue to move America in a new direction.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

INTERNET TAX FREEDOM ACT AMENDMENTS ACT OF 2007

Ms. LINDA T. SANCHEZ of California. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3678) to amend the Internet Tax Freedom Act to extend the moratorium on certain taxes related to the Internet and to electronic commerce.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Internet Tax Freedom Act Amendments Act of 2007".

SEC. 2. MORATORIUM.

The Internet Tax Freedom Act (47 U.S.C. 151 note) is amended—

(1) in section 1101(a) by striking "2007" and inserting "2014", and

(2) in section 1104(a)(2)(A) by striking "2007" and inserting "2014".

SEC. 3. GRANDFATHERING OF STATES THAT TAX INTERNET ACCESS.

Section 1104 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by adding at the end the following:

"(c) APPLICATION OF DEFINITION.—

"(1) IN GENERAL.—Effective as of November 1, 2003—

"(A) for purposes of subsection (a), the term 'Internet access' shall have the meaning given such term by section 1104(5) of this Act, as enacted on October 21, 1998; and

"(B) for purposes of subsection (b), the term 'Internet access' shall have the meaning given such term by section 1104(5) of this Act as enacted on October 21, 1998, and amended by section 2(c) of the Internet Tax Nondiscrimination Act (Public Law 108-435).

"(2) EXCEPTIONS.—Paragraph (1) shall not apply until June 30, 2008, to a tax on Internet access that is—

"(A) generally imposed and actually enforced on telecommunications service purchased, used, or sold by a provider of Internet access, but only if the appropriate administrative agency of a State or political subdivision thereof issued a public ruling prior to July 1, 2007, that applied such tax to such service in a manner that is inconsistent with paragraph (1); or

"(B) the subject of litigation instituted in a judicial court of competent jurisdiction prior to July 1, 2007, in which a State or political subdivision is seeking to enforce, in a manner that is inconsistent with paragraph (1), such tax on telecommunications service purchased, used, or sold by a provider of Internet access.

"(3) NO INFERENCE.—No inference of legislative construction shall be drawn from this subsection or the amendments to section 1105(5) made by the Internet Tax Freedom Act Amendments Act of 2007 for any period prior to June 30, 2008, with respect to any tax subject to the exceptions described in subparagraphs (A) and (B) of paragraph (2)."

SEC. 4. DEFINITIONS.

Section 1105 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended—

(1) in paragraph (1) by striking "services",

(2) by amending paragraph (5) to read as follows:

"(5) INTERNET ACCESS.—The term 'Internet access'—

"(A) means a service that enables users to connect to the Internet to access content, information, or other services offered over the Internet;

“(B) includes the purchase, use or sale of telecommunications by a provider of a service described in subparagraph (A) to the extent such telecommunications are purchased, used or sold—

“(i) to provide such service; or

“(ii) to otherwise enable users to access content, information or other services offered over the Internet;

“(C) includes services that are incidental to the provision of the service described in subparagraph (A) when furnished to users as part of such service, such as a home page, electronic mail and instant messaging (including voice- and video-capable electronic mail and instant messaging), video clips, and personal electronic storage capacity;

“(D) does not include voice, audio or video programming, or other products and services (except services described in subparagraph (A), (B), (C), or (E)) that utilize Internet protocol or any successor protocol and for which there is a charge, regardless of whether such charge is separately stated or aggregated with the charge for services described in subparagraph (A), (B), (C), or (E); and

“(E) includes a homepage, electronic mail and instant messaging (including voice- and video-capable electronic mail and instant messaging), video clips, and personal electronic storage capacity, that are provided independently or not packaged with Internet access.”;

(3) by amending paragraph (9) to read as follows:

“(9) **TELECOMMUNICATIONS.**—The term ‘telecommunications’ means ‘telecommunications’ as such term is defined in section 3(43) of the Communications Act of 1934 (47 U.S.C. 153(43)) and ‘telecommunications service’ as such term is defined in section 3(46) of such Act (47 U.S.C. 153(46)), and includes communications services (as defined in section 4251 of the Internal Revenue Code of 1986 (26 U.S.C. 4251)).”, and

(4) in paragraph (10) by adding at the end the following:

“(C) **SPECIFIC EXCEPTION.**—

“(i) **SPECIFIED TAXES.**—Effective November 1, 2007, the term ‘tax on Internet access’ also does not include a State tax expressly levied on commercial activity, modified gross receipts, taxable margin, or gross income of the business, by a State law specifically using one of the foregoing terms, that—

“(I) was enacted after June 20, 2005, and before November 1, 2007 (or, in the case of a State business and occupation tax, was enacted after January 1, 1932, and before January 1, 1936);

“(II) replaced, in whole or in part, a modified value-added tax or a tax levied upon or measured by net income, capital stock, or net worth (or, is a State business and occupation tax that was enacted after January 1, 1932 and before January 1, 1936);

“(III) is imposed on a broad range of business activity; and

“(IV) is not discriminatory in its application to providers of communication services, Internet access, or telecommunications.

“(ii) **MODIFICATIONS.**—Nothing in this subparagraph shall be construed as a limitation on a State’s ability to make modifications to a tax covered by clause (i) of this subparagraph after November 1, 2007, as long as the modifications do not substantially narrow the range of business activities on which the tax is imposed or otherwise disqualify the tax under clause (i).

“(iii) **NO INFERENCE.**—No inference of legislative construction shall be drawn from this subparagraph regarding the application of subparagraph (A) or (B) to any tax described in clause (i) for periods prior to November 1, 2007.”.

SEC. 5. CONFORMING AMENDMENTS.

(a) **ACCOUNTING RULE.**—Section 1106 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended—

(1) by striking “telecommunications services” each place it appears and inserting “telecommunications”, and

(2) in subsection (b)(2)—

(A) in the heading by striking “SERVICES”,

(B) by striking “such services” and inserting “such telecommunications”, and

(C) by inserting before the period at the end the following: “or to otherwise enable users to access content, information or other services offered over the Internet”.

(b) **VOICE SERVICES.**—The Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking section 1108.

SEC. 6. SUNSET OF GRANDFATHER PROVISIONS.

Section 1104(a) of the Internet Tax Freedom Act is amended by adding at the end thereof the following:

“(3) **EXCEPTION.**—Paragraphs (1) and (2) shall not apply to any State that has, more than 24 months prior to the date of enactment of this paragraph, enacted legislation to repeal the State’s taxes on Internet access or issued a rule or other proclamation made by the appropriate agency of the State that such State agency has decided to no longer apply such tax to Internet access.”.

SEC. 7. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on November 1, 2007, and shall apply with respect to taxes in effect as of such date or thereafter enacted, except as provided in section 1104 of the Internet Tax Freedom Act (47 U.S.C. 151 note).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LINDA T. SANCHEZ) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LINDA T. SANCHEZ of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LINDA T. SANCHEZ of California. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 3678, the Internet Tax Freedom Act Amendments Act, as amended. H.R. 3678, legislation designed to extend the Internet tax moratorium and grandfather protections, clarify the treatment of gross receipts taxes, and revise the definition of Internet access is bipartisan legislation at its best. It has widespread support by industry groups including the Don’t Tax Our Web Coalition, as well as by various government organizations such as the National Governors Association, the Federation of Tax Administrators, the National Conference of Mayors, and the National Conference of State Legislatures. It is supported by a wide range of labor and union groups, including the American Federation of State, County and Municipal Employees.

And with that broad support, the House passed H.R. 3678 by a vote of 405–2. H.R. 3678, as amended by the Senate, contains four distinct changes.

First, the Senate version extends the moratorium on State and local taxes on Internet access and continues

grandfather protections for 7 years until November 1, 2014. The 7-year time frame will allow Congress to revisit the moratorium and consider developments in the States or in technology. It will provide businesses sufficient time to plan and ensure that consumers benefit from tax-free access to the Internet.

Second, the Senate version extends from November 1, 2007 to June 30, 2008 the time for certain States to adjust for a phaseout of the grandfather protection. This alteration will benefit State governments who would have scrambled to readjust their budgets with a loss of revenue beginning November 1.

Third, the Senate version expands the definition of Internet access to prohibit taxation of certain services which are fee-based, not packaged with Internet access, and are offered from sources other than providers of Internet access.

Finally, the Senate version prohibits a State from reimposing Internet access taxes if the State had eliminated the taxes more than 2 years ago.

For nearly 10 years, we have had the luxury of tax-free Internet access, as we have acted under a moratorium passed by Congress, but the moratorium expires in less than 2 days.

□ 1030

With the impending end of the moratorium in sight, this Chamber agreed nearly unanimously to pass H.R. 3678, the Internet Tax Freedom Act Amendments Act. This legislation is an example of how a bipartisan approach to a complex issue can serve the public good.

While the Senate made some changes to H.R. 3678, this is a version I’m very proud to support. It retains the essence of H.R. 3678, including refining the definition of Internet access and, most importantly, providing a temporary extension of the moratorium. This legislation minimizes the effect on State and local government revenue, treats businesses fairly, and keeps Internet access affordable to consumers.

I remind my colleagues on both sides of the aisle that the current Internet tax moratorium expires in about 36 hours. Madam Speaker, I encourage all my colleagues to join me in supporting H.R. 3678, the amended Internet Tax Freedom Act Amendments Act, so that tax-free access to the Internet can continue.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I’m pleased that we are considering a bill to extend the Internet tax moratorium another 7 years. With only 2 days left until the moratorium expires, it’s high time that Congress passes this important legislation and gets it to the President’s desk for his signature.

Two weeks ago, the House approved H.R. 3678, a bill to extend the Internet tax moratorium for 4 years. I supported

this legislation because it accomplished several positive things. For example, it clarified the definition of Internet access to ensure that States do not tax Internet access, including the acquisition of transmission capabilities.

However, I was disappointed that it did not permanently ban taxes on Internet access and e-commerce and that the House Democratic leadership refused to allow a vote on permanency, even though over 240 Members are cosponsors of a permanent extension.

Today, by passing H.R. 3678 with the Senate amendments, we are taking a step in the right direction. This legislation extends the moratorium for 7 years, almost doubling what the House approved only 2 weeks ago.

The Senate amendments to H.R. 3678 also made several other important changes to the law. The Senate extended the coverage of the moratorium to all e-mail, regardless of whether it was bundled with Internet access. With respect to the original grandfathered States, the Senate added a new "use it or lose it" provision that says that if one of those States repeals or otherwise does not enforce its tax on Internet access, it loses its grandfather protections.

I think these are good changes to the original House-passed bill, and I am happy to support them.

By extending the ban on Internet access taxes for a longer period of time, we give businesses the certainty they need to spend billions of dollars to construct, maintain and update the broadband Internet infrastructure throughout the country.

This legislation will help keep the cost of Internet access down so that all individuals can continue to use the great informational tool that is the Internet.

While I'm disappointed that we're not making the ban permanent, which has wide support in the House, we are certainly moving in the right direction by passing H.R. 3678 today.

Hundreds of companies and groups, including AOL, Apple, Americans for Tax Reform, AT&T, Comcast, eBay, Electronic Industries Alliance, Level 3 Communications, the National Association of Manufacturers, National Cable and Telecommunications Association, National Taxpayers Union, Sprint/Nextel, Time Warner Communications, T-Mobile, U.S. Chamber of Commerce, U.S. Telecom Association, U.S. Internet Industry Association, Verizon, Yahoo, the Business Software Alliance, and the Hispanic Technology and Telecommunications Partnership, among many, many others, have, in fact, called for a permanent ban on Internet access taxes.

While H.R. 3678 doesn't get us all the way to the goal line, it is a step forward that will benefit the economy and the consumer.

Madam Speaker, if we are going to have a healthy economy in America, if we are going to continue to create jobs,

if we're going to continue to enjoy a high standard of living, if we are going to continue to increase productivity, we have to do everything we can to encourage and help the high-tech industry.

To that end, I support H.R. 3678, but I still would like to see Congress pass a permanent moratorium.

Madam Speaker, I reserve the balance of my time.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I yield 3½ minutes to the gentlelady from California, a colleague of mine who's very knowledgeable on Internet tax issues, Ms. ANNA ESHOO.

Ms. ESHOO. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of the amended legislation that's before us. Two weeks ago when the House brought legislation to the floor on Internet taxation, I was only one of two that opposed it. Now, I opposed it not because I opposed extending the moratorium. Quite to the contrary.

I offered legislation with Mr. GOODLATTE that would have made Internet taxation, a ban on it, permanent. We introduced legislation that enjoyed over 240 bipartisan cosponsors. That legislation was not considered by the Judiciary Committee or the House.

The bill also contained a loophole that could have opened up the possibility of new taxes on the Internet services such as e-mail and music downloading. I knew we could do better and today we are.

The Senate-amended legislation will establish the longest term for the Internet tax moratorium since it was first created in 1998. The Congress acted on that again in 2001 and 2004, and today's moratorium is the longest that will be adopted. So I think it's cause for celebration.

The legislation will guarantee that new barriers created by taxation of Internet access and e-commerce will not emerge when the current moratorium ends, which is just, as the chairwoman said, 36 hours away. So we're coming in right under the wire.

I think that this is very important policy for our country. Very importantly, this is going to continue to spur innovation, and it will advance our goal of broadband for everyone in the United States.

I'm very, very pleased at the Senate action, under the leadership of really the father of this effort, Senator RON WYDEN, new father of twins, a son and a daughter, many congratulations to him. I urge all of my colleagues. This should be a 100 percent vote in the House for a 7-year moratorium, and I thank the leadership for bringing it to the floor and the chairwoman for her leadership on this as well.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE), a senior member of the Judiciary Committee and the principal Republican sponsor of the permanent ban on Internet taxes.

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. I thank the gentleman from Texas for his leadership on this issue, as well as that of the two gentlewomen from California, Congresswoman ESHOO and Congresswoman LOFGREN, who have been advocates of a permanent extension of this legislation.

Madam Speaker, I am pleased that the House leadership has now seen fit to schedule a vote on a bill to extend the Internet tax moratorium for longer than the mere 4-year extension contained in the House-passed bill.

However, I'm still extremely disappointed that the majority did not allow any amendments to H.R. 3678 when it was considered by the full House. The handling of that bill 2 weeks ago by the House leadership is unfortunately reflective of the stranglehold that leadership has placed on the will of the majority in this Congress.

I had introduced legislation, along with Representative ESHOO, to make the ban on Internet access taxes permanent, and that legislation had garnered nearly 240 bipartisan cosponsors before the House was forced to vote on the 4-year extension. These cosponsors represent a strong bipartisan majority of the Members of this body. However, with absolutely no explanation, the majority party cut off all opportunity for amendments to that legislation on the House floor, where I have no doubt an amendment to make the ban on access taxes on the Internet permanent would have passed with a very strong majority.

During committee consideration, the House Judiciary Committee even resorted to obscure procedural tactics to reverse a vote for an amendment in committee to extend the moratorium from 4 years to 8 years. Because all but one Democrat, Congresswoman LOFGREN, on the committee voted against an amendment I offered there to extend the moratorium for 6 years, I assume that to be consistent they will vote against the 7-year extension before us today, but we shall see.

With regard to the merits of a 4-year extension, we heard arguments that the Senate would not accept anything longer than a 4-year extension. However, that has proven not to be the case. Now, House leadership has been forced to schedule a vote on a bill to extend the moratorium for 7 years because the current moratorium expires tomorrow. It's a shame they did not do this, and more, voluntarily when they had the chance.

Instead, the Senate, and I, too, join in commending Senator WYDEN and Senator SUNUNU in the bipartisan effort that was made in the Senate, which passed a more reasonable bill with a longer term of protection for American taxpayers.

The bill before us today extends the moratorium for almost twice as long as

the House-passed bill, and while I would prefer a permanent ban, this is a vast improvement over current law. This bill will continue to help ensure that the digital divide does not grow between those who can and cannot afford broadband Internet access.

The bill will also help ensure that businesses have more certainty when making business decisions about whether to deploy broadband to areas they do not currently serve, such as rural areas across the country.

I urge the Members of this body to support this important legislation.

Ms. LINDA T. SANCHEZ of California. Madam Speaker, at this time, I am pleased to yield 3 minutes to the gentlelady from California (Ms. ZOE LOFGREN), a colleague of mine on the subcommittee and the Committee on the Judiciary.

Ms. ZOE LOFGREN of California. Madam Speaker, I rise in support of H.R. 3678.

In a welcome and refreshing instance of bipartisan, bicameral cooperation, the Senate took our bill and improved it. The longer moratorium means that service providers will have more certainty when deciding whether to make critical investments in basic infrastructure of the Internet.

The 7-year extension is longer than any that has ever been approved by any previous Congress. Consideration of this bill today shows that the Democrats in the 110th Congress truly understand the importance of the Internet to our economy.

Equally important, the bill as amended makes absolutely clear that Internet access embraces ancillary services such as e-mail, instant messaging and personal storage capacity. This change removes ambiguity with respect to these services, and thereby encourages robust competition among Internet service providers.

And importantly, today is October 30. By passing the extension of the Internet tax moratorium with ample time for the President to sign the bill into law, we avoid the almost certain disruption that would attend any further delay. Failure to act would be a mistake and a step away from the pledges we made in the Innovation Agenda.

I continue to believe that a permanent ban on the taxation of Internet access is important to maintaining and improving our place in the information economy.

I remain a proud cosponsor of my friend ANNA ESHOO's bill that would have made the moratorium permanent. I will continue to work with her and Mr. GOODLATTE to achieve that goal, but I heartily accept H.R. 3678 as a fair compromise between our position and the views of those who are reluctant to entirely abandon the possibility of one day taxing the Internet.

Ultimately, we will reach the legislative conclusion that taxing the Internet is simply a bad idea. Fortunately, this bill buys us enough time to get there and is an important, big step in the right direction.

Aside from supporting expansion of the broadband and innovation, it's also good news for American families that they will not face a new tax burden when they utilize the Internet come November 1. Therefore, I urge my colleagues to join me in supporting this important and very timely legislation.

I thank the chairwoman of the subcommittee.

Mr. SMITH of Texas. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. I thank the gentleman from Texas for yielding.

Let's make it clear what this bill does not do. What it does not do is it does not prohibit States or localities from putting general application taxes on Internet transactions as they would apply if that transaction were taking place not on the Internet. For example, it does not ban sales taxes on transactions over the Internet, as long as those taxes are the same sales taxes as would be applied if that purchase was transacted in a store or over a catalog, but what it does do is it says you cannot put discriminatory taxes on the Internet.

□ 1045

You cannot take that sales transaction and give it a sales tax that is higher because it was transacted over the Internet than if it were not. It also says that you cannot tax access or use to the Internet.

Can you imagine, can anyone out there imagine that if every time you sent an e-mail there was a tax that went on your credit card or something for using it, or every time you went on a Web site, there was a tax? That's absolutely unconscionable. Particularly today, when we realize how much of the economic growth we have experienced in this decade has come from the Internet and how much distribution of knowledge there has been and how it is a great equalizer that so many people at so many incomes and in so many locations are able to access knowledge that was previously unavailable.

The Internet has been a great engine for economic growth and for the distribution of knowledge. We don't want to slow down that engine by taxing it.

Now I, like I believe every other speaker this morning, wishes that this bill were a permanent ban. I can't imagine a time when we would want to restrict your access to the Internet by taxing it.

However, 4 years is better than zero, and 7 years is better than 4. So this 7-year extension is something that I will heartily support.

However, I also desperately hope that before we get to the day of the expiration of this next 7-year period, that sometime within this 7 years that this Congress realizes and recognizes once and for all that taxing the access to or use of the Internet is a bad idea and makes this ban permanent in the future.

Ms. LINDA T. SANCHEZ of California. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Texas has 10½ minutes, and the gentlewoman from California has 12 minutes.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. UPTON) who is a senior member of the Energy and Commerce Committee and also ranking member of that committee's Subcommittee on Telecommunications and the Internet.

Mr. UPTON. I thank the gentleman for allowing me to have a little bit of time this morning to talk about a very important issue.

Madam Speaker, I am one of those Members of Congress who actually reads and signs all of his legislative mail from their district. I can remember not too long ago there was a write-in campaign to every congressional office complaining about a bill that Congressman Snell had introduced that was going to tax the Internet, every single piece of transaction that one might have on the Internet. Of course, as we know as we look at this board, and I have served in this Congress, I like to say not long enough, but I have never served with a Congressman Snell in the 21 years that Mr. SMITH and I have served here together.

I went through it to find out when did Congressman Snell serve? There must have been a Congressman Snell. Well, there was. He served in the 64th Congress. Now, that was a long, long time ago, and I daresay it was before the Internet. It was before Al Gore invented the Internet, and it was before the Senate and the House discovered it as well.

But can you imagine taxing every different thing that one might do on the Internet?

I look at our own household here and back in Michigan. Often we come home, my wife and I, the first thing we do is we get on the Internet. We check what our daughters might be saying at college. Two nights ago I was doing some Internet surfing, and I got IMs from my daughter, probably about 20, 25. It was a wonderful experience that she and I had communicating. But can you imagine if there was a tax on every single IM message that came back and forth?

A lot of us do our banking on the Internet, check our different accounts. Can you imagine every single time you are going to get a tax on the Internet? For me, I am a sports nut, my Wolverines. I was at MGoBlue last night a couple of different times. When is the Michigan-Michigan State game going to be on this weekend? Can you imagine if you got taxed every time? I wanted to check if Michael Hart was going to play this Saturday. I checked a bunch of different Web sites. Can you

imagine if you got a tax every single time? That's just nuts.

Thank goodness we are extending the current moratorium that otherwise expires this week. Now, I am one that wanted to make it a permanent extension. I join with Mr. GOODLATTE and Mr. SMITH and others as a cosponsor of legislation so that we don't have to do this every single year. We passed in the House a couple of weeks ago a bill that was unanimous, in fact, as I recall, that extended it for 4 years.

The Senate finally did something right; they actually extended it beyond 4 years. We are going to see an extension for 7 years. Even though it's not permanent, 7 years is better than nothing, and that's what we are doing today.

But as I think about all the different uses that we use on the Internet today, to think that we would tax every e-mail, every search of the Web, all those different things. As the former chairman of the Telecommunications Subcommittee, I know that this will stifle the growth of the Internet in a major, major way.

I would ask all of my colleagues, Republican and Democrat, to support this extension. Let's get it to the President. I am sure that he will sign it, hopefully, before the week is out, so that we can no longer have the audacity to think that a Congressman Snell will come back and, in fact, perhaps introduce a piece of legislation that will, in fact, tax every Internet transaction. It would be disastrous.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I reserve the balance of my time to close.

Mr. SMITH of Texas. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, H.R. 3678, as amended by the Senate, remains a strong bill that provides much-needed clarity to the communications and Internet industries and strikes an appropriate balance in addressing the needs of States and local governments while helping keep Internet access affordable. I urge my colleagues on both sides of the aisle to join me in supporting it.

Mr. CHABOT. Madam Speaker, I rise in support of H.R. 3678, the Internet Tax Freedom Act Amendments Act, as amended by the Senate.

The Internet has changed the way we communicate, learn, and do business—all for the better. Since the Internet tax moratorium was first adopted, tremendous investment, growth and innovation in the scope and use of the Internet has occurred. By preventing unnecessary taxation of the Internet, Congress has fostered growth in productivity, spurred innovation, and widened public access to information.

This expansion is impressive. However, there is still more that Congress can do to ensure equal Internet access among all Americans. As I stated when the House passed its 4-year extension, permanently prohibiting un-

necessary taxes, such as an Internet access, is the best course of action for accomplishing this goal.

The surest way to stifle achievement, progress, and growth is to involve the government. I urge my colleagues to pass H.R. 3678's 7-year extension and use this time to work together to permanently extend the moratorium in order to foster the innovation and the free market that have been the formula for economic growth and prosperity.

Mr. COLE of Oklahoma. Madam Speaker, though I would have voted "yea" on the Internet Tax Freedom Act, it is not the vote I wished to have had. I along with 242 bipartisan co-sponsors wanted to see the Internet Tax Moratorium made permanent instead of an extension for 7 years. Through negotiations in the House, members were told that the Senate would never agree to anything longer than 4 years. Then, we were forced to vote on a 4-year extension October 16, without the opportunity to add amendments to lengthen the ban—or even make it permanent.

Madam Speaker, today we are now voting on a Senate amendment to H.R. 3678, extending the ban for 7 years—3 more years than what we were told the Senate would agree to. Imagine what we could have accomplished had the democrat leadership had listened to the will of 242 members from both sides of the aisle asking to make this ban permanent.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3678.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3867, SMALL BUSINESS CONTRACTING PROGRAM IMPROVEMENTS ACT

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 773 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 773

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3867) to update and expand the procurement programs of the Small Business Administration, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of

rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions of the bill are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3867 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 773.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARDOZA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 773 provides for the consideration of H.R. 3867, the Small Business Contracting Program Improvements Act, under a structured rule.

As the Clerk reported, the rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Committee on Small Business. The rule waives all points of order against consideration of the bill except for clause 9 and 10 of rule XXI.

Ten amendments that were submitted to the Rules Committee for consideration were made in order. All four Republican amendments that were submitted and six Democratic amendments that were submitted were all

made in order. Finally, the rule provides for one motion to recommit with or without instructions.

Through a series of laws and procurement requirements, Congress established a benchmark for the SBA to give small businesses every opportunity to compete fairly for the award of Federal contracts. Despite a clear mandate that has been in existence for more than 50 years, small businesses have not received their fair share of Federal Government contracts. This is especially true regarding the service-disabled veterans, men and women, and minority-owned businesses.

In 2006 alone, the Federal Government spent over \$417 billion on goods and services, but small businesses have been continuously losing out on contracting opportunities. This is a tragedy. Small businesses are the engines of our economy; and securing a Federal contract is a major financial boon for these entrepreneurs, especially veterans, women, and businesses in low-income areas.

We cannot afford for our budding entrepreneurs to be shut out of what should be an open market and be denied opportunities to succeed, not when their existence is so vital to our economy, especially. H.R. 3867 takes several critical steps to assist small businesses' participation in Federal procurement by updating and expanding the SBA's procurement programs.

First, it improves contracting opportunities for service-disabled veteran businesses. Today only 0.87 percent of Federal contracts are granted to service-disabled veteran businesses, a far cry from the 3 percent goal that was enacted in 1999.

H.R. 3867 gives service-disabled veteran businesses priority for Federal contracts, providing more opportunities for our Nation's veterans to become successful entrepreneurs.

It also codifies President Bush's executive order directing agencies to provide veterans resources and assistance they need to participate in Federal contracting processes.

Second, H.R. 3867 aids women-owned businesses with Federal procurement processes. The Women's Procurement Program was enacted 7 years ago to increase the number of contracts awarded to businesses owned by women.

However, the SBA has been dragging its feet in implementing the program, costing women tens of billions of dollars in lost contracting opportunities. H.R. 3867 fully implements the Women's Procurement Program, giving women-owned businesses greater access to the Federal marketplace.

The bill also takes the first step in modernizing the 8(a) program, which helps minority-owned businesses secure Federal contracts; but it has not been updated in over 20 years. The bill updates the 8(a) program to reflect today's economy so that minority-owned businesses have time to grow and graduate from the initiative.

□ 1100

Finally, H.R. 3867 continues the Democrats' commitment to combating fraud and eliminate wasting taxpayer dollars.

The bill enhances business integrity standards to ensure that taxpayer dollars only go to reputable individuals. It promotes self-policing to allow small businesses to challenge individual program awards. It protects disabled veterans by penalizing firms that falsely represent themselves as service-disabled veteran businesses, and it requires on-site reviews by SBA personnel before HUBZone contracts are awarded.

Madam Speaker, the bill before us today, H.R. 3867, has extremely strong bipartisan support. It passed the Small Business Committee by a vote of 21-4.

Among other organizations, it is supported by the National Federation of Independent Business, the U.S. Hispanic Chamber of Commerce, the National Black Chamber of Commerce, the U.S. Women's Chamber of Commerce, the American Legion and Veterans of Foreign Wars.

I would like to thank Chairwoman VELÁZQUEZ and members of the Small Business Committee for their hard work that went into this piece of legislation.

Madam Speaker, we all recognize the importance of small businesses to our economy. It is imperative that we follow through on our commitments to small business and give them every opportunity we can to succeed.

Madam Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I would like to thank my friend, the gentleman from California (Mr. CARDOZA) for the time, and I would yield myself such time as I may consume.

Small business is the engine that drives our economic strength. The almost 26 million small businesses in the United States employ over half of all private sector workers and pay approximately 45 percent of total U.S. private payroll. Over the last decade, small businesses have generated 60 to 80 percent of net new jobs annually.

Congress, for decades, has acknowledged the important role small businesses play in the Federal procurement process. This is evident in the Small Business Act of 1953. The Act says that, and I quote, "it is the declared policy of the Congress that the government should aid, counsel, assist and protect . . . the interests of small business concerns in order to preserve free competitive enterprise and to ensure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the government . . . be placed with small business enterprises."

In 2006, the Federal Government spent over \$400 billion on goods and services in over 8 million separate contracts. Small businesses won about 80 billion worth of those contracts, a little over 20 percent.

The Veterans Entrepreneurship and Small Business Development Act of 1999 established a goal of 3 percent for Federal contracts awarded to service-disabled veterans. Unfortunately, we have yet to meet that worthy goal.

The underlying legislation being brought to the floor today, H.R. 3867, the Small Business Contracting Improvements Act, seeks to expand procurement opportunities for businesses owned by service-disabled veterans by placing these businesses at the top of the priority list for receiving Federal contracts.

The legislation adjusts the net worth standard for businesses in the 8(a) program for the first time in about 20 years, to \$550,000, so it is more consistent with inflation. To take part in the 8(a) program a business must be owned by citizens who are socially and economically disadvantaged. Participants in the program are eligible for sole source and limited competition government contracts. They also can receive a 10 percent cost advantage in some procurements.

As part of their campaign, Madam Speaker, the new majority spoke often about taking the House of Representatives in a new direction. Unfortunately, that direction seems to be backwards because now the Rules Committee no longer allows Members to present their amendments even if they're a few minutes late. That is a departure from the practice of the Rules Committee under the prior majority.

Last week, several Members attempted to file amendments with the Rules Committee. The majority denied the Members even the ability to file the amendment because they were a few minutes late, thereby denying Members the right even to come before the Rules Committee to speak about the merits of their respective amendments.

Representative KING attempted to file his amendment on-line as required by the committee; however, due to technical issues, he was not able to file the amendment on-line. Representative KING was told by the majority on the Rules Committee that they would waive the electronic filing requirement; however, because he had spent time trying to get the amendment filed electronically, he missed by a few minutes the deadline to physically file the amendment. It's disappointing that the majority would not allow Representative KING to offer his amendment when it was clear he was trying to comply with the filing requirements. Because of technical issues, he was delayed.

I understand the need the majority may have in issuing a deadline. But in the prior majority, Madam Speaker, we always allowed Members to at least file their amendments even if they were past the deadline, and even made some of those amendments in order. It is a shame that the new majority has decided to take a step back and not allow some discretion in this matter.

This new hard-and-fast time requirement is particularly difficult, if not impossible, when a Member is trying to file a second-degree amendment. As you know, Madam Speaker, a second-degree amendment is written to amend an amendment, so that it is not possible to draft such an amendment until the initial amendment was made public, and that list of amendments filed is not made public until after the amendment deadline.

We already saw how the new majority's requirement blocks amendments when, during a previous rule, Representative AKIN was not allowed to offer a second-degree amendment.

It's unfortunate, Madam Speaker, by not allowing Members to even offer amendments in the Rules Committee, we believe that the majority is, in effect, silencing the voices of millions of Americans.

Madam Speaker, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I would respond to my friend from Florida by saying that it is the hard copy being received in Rules Committee that needs to be done by the time that has been specified by the Rules Committee. Timely filed amendments were all made in order on the Republican side for this measure. We certainly look forward to our Republican colleagues filing amendments in committee when we've called for amendments to a bill, and encourage them to file on time.

Madam Speaker, at this time I would yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, let me thank the distinguished gentleman from California (Mr. CARDOZA), and thank the chairwoman and the ranking member of the full committee on the Small Business Administration, and acknowledge the important step that is being made here today dealing with insuring government contract opportunities for small businesses owned and controlled by service-disabled veterans. We are certainly going to have more of those. And every time you meet with a veterans group they wonder what are the opportunities for them.

Small businesses are the backbone of America and I do support this with legislation. I also hope, however, that this bill does not do harm to the HUBZones that have been used by many small businesses across America. And as we review it, I will look closely at this legislation to ensure that HUBZones are protected.

And I ask the question as to the formula that requires a site visit to the small business and background checks. I know for sure that many in the minority community use a small business as a step of opportunity out of a past that might not have been as they would have liked it to be. People who are rehabilitated who move forward in life should have an opportunity to provide for their families, and I would

hope that that would be the framework of this particular legislation, that we're not doing harm to those opportunities because this is America.

And then I certainly would have wanted to have the amendment that I offered that indicated in times of natural disaster and/or an act of terrorism that small minority and women-owned and disabled veterans businesses be utilized in the area of the disaster. Certainly, if there is a disaster, those small businesses may be impacted. But what we saw in Hurricane Katrina, we saw the misuse of the small businesses who were there, meaning that they did not have the opportunity to, one, save the government money, but, at the same time, do the job on behalf of their community of which they loved. And so I hope that we will be able to work this language in, maybe through conference, because I think it is an important sense of Congress' statement, and I also hope that we will protect those HUBZones and make sure that we reaffirm the opportunities for all small businesses across America.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I would ask my dear friend how many speakers he has remaining.

Mr. CARDOZA. I have one additional speaker that has arrived.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, we reserve.

Mr. CARDOZA. Madam Speaker, I would like to, at this time, yield 2 minutes to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Madam Speaker, I rise today in support of the Small Business Contracting Program Improvements Act.

Small business, as we all know, is the lifeblood of our communities. Small businesses are responsible for creativity, innovation, and community investment. I honestly believe that a community that has strong small businesses is a strong and vibrant community.

This legislation is going to give small businesses in my home state, southern Arizona, a chance to be competitive with federal contracts, whether it's in Oro Valley down to Green Valley or Tucson all the way to Bisbee and to Douglas.

For example, OfficeSmart in Sierra Vista, was founded in 1993 by Glenn McDaniel, a veteran, along with his wife, Diane. OfficeSmart has 12 employees and nearly 1,000 commercial customers in southern Arizona. They compete for federal contracts and to provide office supplies to Ft. Huachuca.

This bill is going to keep federal contract benefits targeted at local small businesses like OfficeSmart in local communities. It also honors our commitment to disabled veterans.

We know with the wars in Iraq and Afghanistan there will be more and more veterans. This legislation also kick-starts the SBA's Women's Procurement Program.

As a former president, CEO, and small business owner myself, I know

the importance of small businesses and how difficult it is to compete. I strongly support passage of this bill and I urge Members on both sides of the aisle to support it.

Thank you, Madam Chairwoman for your hard work on this committee.

Mr. LINCOLN DIAZ-BALART of Florida. I would ask my friend if he has no other speakers.

Mr. CARDOZA. No other speakers. We will be ready to close.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I will be asking for a "no" vote on the previous question so that we can amend this rule and move toward passing a conference report on the bipartisan Military Construction and Veterans Affairs Appropriations Act.

The House of Representatives passed the veterans and military funding bill on June 15 of this year by a vote of 409-2, with the Senate following suit and naming conferees on September 6 of this year. Unfortunately, the majority leadership in the House has refused to move forward on this bill and name conferees.

Why has the majority decided to hold off on moving this bill, with bipartisan support, because that's what this is. This legislation has extraordinary bipartisan support. It was almost unanimously passed by this House.

Why has the majority decided to hold off on moving this bill forward?

Well, according to several publications, Madam Speaker, including Roll Call, the majority intends to hold back from sending appropriations bills to President Bush so that they can use an upcoming anticipated veto of one such bill, the Labor-HHS appropriations bill to serve as an, and I quote, "an extension of their successful public relations campaign on the SCHIP program."

□ 1115

So for purely partisan tactical reasons, Madam Speaker, the majority is holding back from sending to the President legislation to fund our veterans and military construction.

Now, recently, Madam Speaker, Republican Leader BOEHNER took a step towards naming House Republican conferees. Now, Speaker PELOSI should follow suit and take the steps necessary to ensure that work can begin on writing the final veterans funding bill that can be enacted into law.

Madam Speaker, every day that the majority chooses not to act to move this legislation forward, our Nation's veterans lose \$18.5 million. Our veterans deserve better than partisan bickering holding back their funding. So I urge my colleagues to help move this important bipartisan legislation forward.

But, frankly, Madam Speaker, it is an unfortunate fact to have to report that this is the first time in 20 years where we have reached this date, end of October, and we are still waiting for the first spending bill to be sent to the President for his signature. It is most unfortunate. Most unfortunate.

So I urge my colleagues to help move the important legislation, the spending bill with regard to veterans and military construction, to move it forward, to send it to the President, to appoint conferees so that the final product can be sent to the President.

For that reason, Madam Speaker, we oppose the previous question and urge all of our colleagues to join us in doing so.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield back the balance of my time.

Mr. CARDOZA. Madam Speaker, the gentleman from Florida, my friend, has indicated that we are not adequately funding our Nation's veterans. I would like to remind the gentleman, my good friend, that the recent Republican-led Congress shortchanged veterans funding by failing to provide sufficient increases to keep up with VA's growing number of patients and the rising cost of health care while they were in charge.

In the summer of 2005, the VA confronted a \$1.5 billion shortfall as they significantly underestimated the health care needs of the new veterans returning from Iraq and Afghanistan. This year the VA expects to treat 5.8 million patients, 1.6 million more than in 2001.

The new Congress, under the Democratic majority, committed to taking the country in a new direction. For 2007, the Democratic-held Congress increased veterans funding by \$5.2 billion, and the Congress is proposing an additional increase of \$3.8 billion more than the President in fiscal year 2008. That is the largest increase in veterans funding in 77 years.

The Democratic Congress once again is bringing to the floor a bill that provides real solutions to the obstacles facing America's small business owners, innovators, and entrepreneurs. H.R. 3867 ensures that veterans, women, and minority-owned businesses and other underrepresented entrepreneurs receive the assistance they need to thrive in the Federal marketplace. It also paves the way for them to develop their companies, create jobs, and give a much-needed jolt to our economy.

Madam Speaker, securing a Federal contract is a major boon for entrepreneurs, especially those owned by minority and veteran small businesses. This bill is yet another step towards ensuring that these businesses are not, in fact, left behind, but rather given every opportunity to succeed.

I appreciate the debate with my friend from Florida, and I urge a "yes" vote on the rule and on the previous question.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 773 OFFERED BY MR. LINCOLN DIAZ-BALART

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill, H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. CARDOZA. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 773 will be followed by 5-minute votes on adopting House Resolution 773, if ordered; suspending the rules and concurring in the Senate amendment to H.R. 3678; and suspending the rules and passing House Joint Resolution 58.

The vote was taken by electronic device, and there were—yeas 216, nays 180, not voting 36, as follows:

[Roll No. 1013]

YEAS—216

Abercrombie	Cohen	Green, Al
Ackerman	Conyers	Green, Gene
Allen	Cooper	Grijalva
Altmire	Costa	Gutierrez
Andrews	Costello	Hall (NY)
Arcuri	Courtney	Hare
Baca	Crowley	Harman
Baird	Cuellar	Hastings (FL)
Baldwin	Cummings	Herseth Sandlin
Bean	Davis (AL)	Higgins
Becerra	Davis (CA)	Hinche
Berkley	Davis (IL)	Hirono
Berman	Davis, Lincoln	Hodes
Berry	DeFazio	Holden
Bishop (GA)	DeGette	Holt
Bishop (NY)	DeLauro	Honda
Blumenauer	Dicks	Hooley
Boren	Dingell	Hoyer
Boswell	Doggett	Israel
Boucher	Donnelly	Jackson (IL)
Boyd (FL)	Doyle	Jackson-Lee
Boyd (KS)	Edwards	(TX)
Brady (PA)	Ellison	Johnson (GA)
Braley (IA)	Ellsworth	Johnson, E. B.
Brown, Corrine	Emanuel	Jones (OH)
Butterfield	Eshoo	Kagen
Capps	Etheridge	Kaptur
Capuano	Farr	Kennedy
Cardoza	Fattah	Kildee
Carnahan	Filner	Kilpatrick
Carney	Frank (MA)	Kind
Castor	Giffords	Klein (FL)
Chandler	Gillibrand	Langevin
Clarke	Gonzalez	Lantos
Clay	Gordon	Larsen (WA)
Clyburn		Larson (CT)

Lee
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano

Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter

Sherman
Shuler
Sires
Skeltton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NAYS—180

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Billirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake

Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Inglis (SC)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)

Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield

Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—36

Bono
Carson
Cleaver
Cole (OK)
Cramer
Cubin
Deal (GA)
Engel
Granger
Hinojosa
Hoekstra
Hulshof

Hunter
Inslee
Issa
Jefferson
Jindal
Johnson (IL)
Kanjorski
Kucinich
Lampson
Mack
Musgrave
Myrick

Paul
Price (GA)
Roskam
Shuster
Simpson
Souder
Space
Stark
Tancredo
Waxman
Weller
Wilson (OH)

□ 1146

Mr. GINGREY and Mr. BLUNT changed their vote from “yea” to “nay.”

Mr. COOPER and Mr. McDERMOTT changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2258. An act to temporarily extend the programs under the Higher Education Act of 1965, to amend the definition of an eligible not-for-profit holder, and for other purposes.

INTERNET TAX FREEDOM ACT
AMENDMENTS ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill, H.R. 3678, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3678.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 30, as follows:

[Roll No. 1014]

YEAS—402

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow

Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner

Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny

Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al

Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers

McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano

Neugebauer
Nunes
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler

Sires Thornberry
Skelton Tiahrt
Slaughter Tiberi
Smith (NE) Tierney
Smith (NJ) Towns
Smith (TX) Tsongas
Smith (WA) Turner
Snyder Udall (CO)
Solis Udall (NM)
Space Upton
Spratt Van Hollen
Stark Velázquez
Stearns Visclosky
Stupak Walberg
Sutton Walden (OR)
Tanner Walsh (NY)
Tauscher Walz (MN)
Taylor Wamp
Terry Wasserman
Thompson (CA) Schultz
Thompson (MS) Waters

NOT VOTING—30

Carson Inslee
Cole (OK) Issa
Cramer Jefferson
Cubin Jindal
Deal (GA) Johnson (IL)
Engel Jones (OH)
Granger Kucinich
Hinojosa Lampson
Hoekstra Musgrave
Hulshof Myrick

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 1155

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. JONES of Ohio. Madam Speaker, on rollcall No. 1014, I was speaking to a group of students from my own district on the Capitol steps. Had I been present, I would have voted “yea.”

EXPRESSING SUPPORT FOR DESIGNATION OF OCTOBER 2007 AS “COUNTRY MUSIC MONTH”

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the joint resolution, H.J. Res. 58, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and pass the joint resolution, H.J. Res. 58.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 34, as follows:

[Roll No. 1015]

YEAS—398

Abercrombie Baca
Ackerman Bachmann
Aderholt Bachus
Akin Baird
Alexander Baker
Allen Baldwin
Altmire Barrett (SC)
Andrews Barrow
Arcuri Bartlett (MD)

Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumen
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Bowwell
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney

Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hereth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooey
Inglis (SC)
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack

Maloney (FL)
Maloney (NY)
Manzullo
Marchant
Markley
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar

NOT VOTING—34

Carson
Cole (OK)
Cramer
Cubin
Deal (GA)
Engel
Granger
Hinojosa
Hoekstra
Hoyer
Hulshof
Hunter
Inslee
Issa
Jefferson
Jindal
Johnson (IL)
Kirk
Kucinich
Lampson
Musgrave
Myrick
Paul
Roskam

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1202

So (two-thirds being in the affirmative), the rules were suspended and the joint resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. MYRICK. Madam Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

October 29, 2007: rollcall vote No. 1010, on motion to suspend the rules and pass, as amended—H.R. 3224, the Dam Rehabilitation and Repair Act of 2007—I would have voted “nay”; rollcall vote No. 1011, on motion to suspend the rules and pass, as amended—H. Res. 573, Recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes—I would have voted “aye”; rollcall vote No. 1012, on motion to suspend the rules and agree—H. Res. 747, Recognizing the religious and historical significance of the festival of Diwali—I would have voted “aye.”

October 30, 2007: rollcall vote No. 1013, on ordering the previous question—H. Res. 773, Providing for consideration of the bill (H.R. 3867) to update and expand the procurement programs of the Small Business Administration, and for other purposes—I would have voted “nay”; rollcall vote No. 1014, to suspend the rules and agree to the Senate amendment—H.R. 3678, Internet Tax Freedom Act

Amendments Act of 2007—I would have voted “aye”; rollcall vote No. 1015, on motion to suspend the rules and pass—H.J. Res. 58, Country Music Month—I would have voted “aye.”

PERSONAL EXPLANATION

Mr. LAMPSON. Madam Speaker, on rollcall Nos. 1013, 1014, and 1015, had I been present, I would have voted “yea” on all.

PERSONAL EXPLANATION

Mr. COLE of Oklahoma. Madam Speaker, on Tuesday, October 30, 2007, I was unavoidably detained due to a prior obligation.

Had I been present and voting, I would have voted as follows: (1) Rollcall vote No. 1013: “nay” (Previous Question on the Rule providing for H.R. 3867); (2) rollcall vote No. 1014: “yea” (On agreeing to the Senate Amendment on H.R. 3678 under suspension of the rules, the Internet Tax Freedom Act); (3) rollcall vote No. 1015: “yea” (Passage of H.J. Res. 58 under suspension of the rules, Expressing support for designation of the month of October 2007 as “Country Music Month” and to honor country music for its long history of supporting America’s armed forces and its tremendous impact on national patriotism).

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately today, October 30, 2007, I was unable to cast my votes on H. Res. 773, H.R. 3678, and H.J. Res. 58 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 1013 on Ordering the Previous Question on H. Res. 773, Providing for consideration of the bill (H.R. 3867) to update and expand the procurement programs of the Small Business Administration, and for other purposes, I would have voted “nay.”

Had I been present for rollcall No. 1014 on suspending the rules and agreeing to the Senate Amendment to H.R. 3678, the Internet Tax Freedom Act Amendments Act of 2007, I would have voted “yea.”

Had I been present for rollcall No. 1015 on suspending the rules and passing H.J. Res. 58, Country Music Month, I would have voted “yea.”

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and enter into the RECORD any extraneous materials on the bill under consideration.

The SPEAKER pro tempore (Mrs. TAUSCHER). Is there objection to the request of the gentlewoman from New York?

There was no objection.

SMALL BUSINESS CONTRACTING PROGRAM IMPROVEMENTS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 773 and rule XVIII, the Chair declares the House in

the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3867.

□ 1203

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3867) to update and expand the procurement of the Small Business Administration, and for other purposes, with Mr. HOLDEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in recent years, the Federal marketplace has seen phenomenal growth. However, while procurement opportunities are increasing, agencies are failing to meet their small business, women, service-disabled veterans, minority and low-income contracting goals. This has not only cost small businesses billions of dollars in lost opportunities but deprives the government of a valuable supplier.

Our Nation’s entrepreneurs play an important role in the procurement system, providing diversity, competition, and ensuring we get the best value for the taxpayers’ dollar. To help them get a start, there is an array of contributing programs offering technical assistance, purchasing flexibility and targeted benefits. Unfortunately, due to legislative neglect, under funding and mismanagement by several administrations, the programs have fallen far short of their full potential, leaving many small businesses outside of the Federal marketplace.

The Small Business Contracting Program Improvements Act, introduced by myself and Representative Mary Fallin, will change that by making important improvements to women, minority, HUBZone and service-disabled veteran contracting programs. H.R. 3867 will immediately implement the Women’s Procurement Program that has languished in the current administration’s endless delays. It also updates the economic criteria for the 8(a) program, reflecting current fiscal realities. The last time Congress addressed the 8(a) program was almost 20 years ago, when a gallon of gas was 90 cents and the average cost of a home was less than \$90,000. For too long we have forced minority businesses to operate under antiquated financial standards that in many cases were simply setting them up to fail.

Most importantly, this legislation will give our service-disabled veterans top priority when it comes to con-

tracting. For those men and women returning from Iraq and Afghanistan, many with life-altering injuries, this bill will provide the tools to start a new endeavor and begin a new life. These changes would go a long way to addressing many of the program’s shortcomings that have frustrated our Nation’s small business owners.

Mr. Chairman, H.R. 3867 also fights fraud in the Federal marketplace. Contracting opportunities are a privilege, not a right. The Small Business Contracting Improvement Act makes that clear. For the first time, we are imposing a business code of conduct on all participants, requiring the Federal Government to verify that individuals are who they claim and empowering small firms to police their own programs. This will restore integrity to these critical programs.

Through modernizing programs and increasing accountability, H.R. 3867 brings SBA’s contracting programs into the 21st century. It is for this reason that this legislation has attracted remarkably broad support, including the National Federation of Independent Business, the Associated General Contractors, the American Legion, Veterans of Foreign Wars, AMVETS, the U.S. Hispanic Chamber of Commerce, the National Black Chamber of Commerce, the U.S. Women’s Chamber of Commerce, the International Franchise Association, as well as the National Defense Industrial Association and the Aerospace Industries Association.

This is a measured approach that balances the need to give program flexibility within the realities of current agency buying strategies. It is good for small business, good for the agency, and, most importantly, good for taxpayers.

I urge my colleagues to support this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 3867, the Small Business Contracting Program Improvements Act. I strongly support the provisions in the bill that help those Americans, veterans of our Armed Forces, who have provided the great sacrifices to defend our freedom and our way of life. However, there are other provisions that are sufficiently problematic that makes it impossible for me to support the overall bill.

In 1997, Congress established the Historically Underutilized Business Zone, or HUBZone program. The program is designed to assist areas of low income and high unemployment by providing incentives for government contractors to relocate in these areas and expand their operations. By making it easier for small businesses located in HUBZones to win Federal contracts, Congress expected more government contractors to relocate in these areas and provide an important component to their revitalization.

As anyone who has traveled through many urban and rural districts realizes, they have a large number of HUBZones. Unfortunately, H.R. 3867 could make it more difficult for HUBZone firms to win government contracts and thereby detract from the ability of this program to help revitalize urban and rural areas that need greater economic development.

Mr. Chairman, while I concur with the Chair of the committee that we need to ensure that only firms eligible for the HUBZone program participate, it is unnecessary to take punitive action against HUBZone firms as a result of a few bad actors. I am sure that if we scrutinize each of the procurement programs, we could find a few bad actors in each. That justifies taking appropriate legal action against the bad actors. It does not, in our view, necessitate punishing the firms that complied with the letter and spirit of the law.

It also is important to note that a number of the issues raised in this legislation are being addressed by the administrator of the SBA. I certainly understand the frustration that Members of Congress have when the executive branch does not implement legislation in a timely manner. Nevertheless, one aspect of this bill involves a program that has not been implemented for 7 years. While that normally would suggest further legislative action, the administrator, we believe, is doing everything possible at this point to issue rules, a process that can take time. In addition, the program is the subject of a lawsuit in which the plaintiffs have not sought any subsequent court action for nearly 2 years since the Federal Court ruled that the SBA violated the Administrative Procedure Act and failed to implement the program.

Mr. Chairman, I also would point out that the bill as reported out of committee, in our opinion, would only complicate the implementation of the procurement program. While I understand that the chairwoman will be offering an amendment to correct that problem, it does so by classifying 92 percent of the industries in the United States as historically underrepresented by women businesses and Federal procurement. While I concur that women are historically underrepresented in the Federal procurement arena, the amendment paints, we believe, with a broad, over-inclusive brush, and may include numerous industries in which businesses are not underrepresented by women entrepreneurs.

I also need to point out that the bill would classify individuals as economically disadvantaged if they have assets exclusive of their primary residence and their business up to \$550,000. So over a half million dollars. According to research by our staff, roughly half the Members of Congress, half the Members of this body would qualify as economically disadvantaged under that standard. I find it very difficult to believe that the average American would

consider a Member of Congress to be economically disadvantaged.

These are only some of our concerns about the bill that we have before us here today. While some of these concerns are technical in nature, my primary dispute with the bill is that it continues, unfortunately, to segment the small business government contracting arena. The result is that, in our opinion, rather than growing opportunities for all small businesses, it pits all of these deserving groups against one another. That, in our view, undermines their ability to speak as a united front in debates over Federal procurement policy that would promote all of their interests.

Despite my disagreement with the chairwoman, I do not doubt her sincere desire to improve the SBA contracting programs. The Chair and her staff, particularly Michael Day and Adam Minehardt, should be commended for their efforts in trying to find a solution that I, in good conscience, could have supported. However, the philosophical gap was simply too large to span. Therefore, I cannot support this legislation. I would urge my colleagues to vote "no."

Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to a member of the Small Business Committee, the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Mr. Chairman, I rise in support of this bill for two goods that are within it. The first has to do with our servicemembers, those that have become disabled because of their service. This bill, for the first time, gives priority, even if it's just one company that is veteran-owned and has the service-disabled owning that company, even if there are other competitors. I think this is extremely important, particularly in this time of war in Iraq and Afghanistan.

□ 1215

I say that because in World War II, on average, our soldiers had 182 days of combat. In between horrific battles of Guadalcanal, Iwo Jima or the Battle of the Bulge, there was dwell time in which our servicemembers had time to rest before the next onslaught.

In the war in Iraq, our servicemembers go outside the wire every day into combat for 15 months. We are seeing a higher rate of post-traumatic stress disorder coming back than we have seen in any war. Some say over 30 percent. That will feed into our society.

So that this bill addresses the fact that our society owes something to those who wear the cloth of this Nation, particularly in such a challenging war, I speak up in support of it.

The second is women business owners. The fact that the goal has been for years that 5 percent of all Federal contracts will go to women business owners, we have only met the goal of 3.4 percent. I believe this bill goes a large

step towards helping those, particularly the economically disenfranchised, to be able to have industries that are underrepresented, to now have the competition remain with women business owners. And if they are substantially underrepresented, it can then open up to those women business owners who are not economically disadvantaged. So I speak up in support of this bill both for veterans and for women.

Mr. CHABOT. Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I yield to the gentlewoman from New York (Ms. CLARKE), a member of the committee and a cosponsor of the bill, for 2 minutes.

Ms. CLARKE. Mr. Chairman, first I would like to thank the gentlewoman from New York (Ms. VELÁZQUEZ) for her leadership in bringing this bill to the floor today and her steadfast commitment to the small businesses of our Nation.

I support the Small Business Contracting Program Improvements Act, which encourages participation by qualified small businesses and improves key sections of the Small Business Act to prevent fraud in the SBA's contracting programs.

H.R. 3867 requires the Small Business Administration to immediately implement the Women's Procurement Program after 7 years of no action by the administration to put the program in action.

It will allow agencies to limit competition for Federal contracts only to women business owners in industries that have been closed to them. This legislation now requires SBA to evaluate industries where women entrepreneurs are economically disadvantaged and gives the SBA authority to waive any restrictions where women-owned enterprises are substantially underrepresented.

I believe this bill will finally correct the imbalance in the number of women-owned businesses nationally when compared to their presence in the Federal marketplace.

H.R. 3867 also strengthens the HUBZone program by requiring construction contracts to be performed within a reasonable distance of the particular HUBZone the contractor is to benefit. It will limit construction contract awards being performed more than 150 miles from the primary office location of the HUBZone-approved company.

The Small Business Contracting Program Improvements Act modernizes the 8(a) program to update and revise qualification requirements and ensure that 8(a) contracts go to qualified companies.

This bill provides an opportunity for all qualified small businesses to have a fair opportunity in the Federal marketplace. I want to thank Chairwoman VELÁZQUEZ for her steadfast commitment to the women, minority-owned and disabled veterans and disadvantaged small businesses of America. I

strongly support this legislation, and I urge my colleagues to do likewise.

Mr. CHABOT. Mr. Chairman, we have no further speakers, and I continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. REYES), an original cosponsor of the legislation and chairman of the Intelligence Committee.

Mr. REYES. Mr. Chairman, I thank the gentlewoman for yielding me this time.

I rise in support H.R. 3867, the Small Business Contracting Program Improvements Act of 2007. I would like to give special recognition to our distinguished chairman of the Small Business Committee, Chairwoman VELÁZQUEZ, for her tireless work over the years on behalf of America's small business owners, many of whom reside in my district of El Paso, Texas.

I would also like to commend Congressman BRUCE BRALEY who, in just his first year in Congress and as chairman of the Small Business Contracting Subcommittee, has proven to be an outstanding fighter for small businesses.

H.R. 3867 expands opportunities for small businesses owned by veterans. And veterans, and in particular disabled veterans who own businesses, are going to be watching very closely how Members vote on this bill here today. It also expands opportunities for women who will also look at how people support their efforts in the small business community. Minorities are watching very closely who votes for this legislation, and all others who constitute the most critical force for economic growth in our country.

While I support this bill as a whole, I today want to speak specifically about the provisions of this bill that modernize and update the 8(a) program at the Small Business Administration. In 1968, Congress established 8(a) to assist small businesses owned by citizens who are socially and economically disadvantaged. Over the years, the 8(a) program has helped ten of thousands of businesses grow and prosper by allowing entrepreneurs valuable access to Federal contracts.

A large part of the program's success is a provision that makes companies with 8(a) certification eligible for smaller government contracts on a sole-source basis. In 1968, those smaller contracts were defined as contracts not exceeding \$3 million in value for services or \$5 million in value for manufacturing. Unfortunately, in the nearly 40 years since, these limits have barely risen, leaving our small businesses an ever-shrinking slice of the Federal contracting pool.

Earlier this year I introduced H.R. 1611, the 8(a) Modernization Act, to turn the clock forward for the thousands of small businesses that we have unfortunately left behind. This bill does two things: one, it increases the allowable net worth for 8(a) participants; and, two, it increases the limit

on sole-source contracts for 8(a) companies.

H.R. 3867 includes both of these essential changes which are important not only to many small businesses in my district, but to countless American entrepreneurs around the country, including our veterans.

Mr. Chairman, this is a good bill. I am proud to be an original cosponsor of it, and I urge all of my colleagues to give it their full support. Again I thank Chairwoman VELÁZQUEZ for the time to speak here today and for her untiring leadership on behalf of small businesses.

Mr. CHABOT. Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BACA), chairman of the Congressional Hispanic Caucus.

(Mr. BACA asked and was given permission to revise and extend his remarks.)

Mr. BACA. Mr. Chairman, I rise to support H.R. 3867, the Small Business Contracting Program Improvements Act. I want to thank my colleague, Chairperson VELÁZQUEZ, for her leadership.

Small business is the backbone of our economy. And I state, small business is the backbone of our economy. Over 4 million minority businesses represent almost 20 percent of all firms in this country. They generate nearly \$7 billion annual revenue and employ almost 5 million workers. And I state, 5 million workers.

Minorities make up 32 percent of the population of this country, but they only represent 18 percent of all small businesses. This bill will close the gap, and I state, will close the gap by improving the Small Business Administration's small and minority business procurement programs and will help disabled veterans, women, minority businesses, both Hispanic, black, Asians and others, and provides small business minority businesses the assistance they need to grow and prosper.

Like in the Inland Empire where the majority of businesses are small businesses and represent the largest growth and the engine that drives the economy in the State of California, SBA 8(a) programs, which open the doors to more than half of all Federal minority business contracts, have not been updated since 1988.

This bill revamps the program to improve 8(a) firms' ability to secure in the Federal sector. It is time to level the playing field so the small minority business firms have equal access to Federal contracts. Every dollar invested in the 8(a) program results in over \$4 million in contracts to minority entrepreneurs. This translates into more jobs across the Nation. I urge my colleagues to support this bill.

Mr. CHABOT. Mr. Chairman, I continue to reserve.

Ms. VELÁZQUEZ. Mr. Chairman, I yield to Mrs. TUBBS JONES from Ohio, the chairwoman of the Committee on

Standards of Official Conduct, 2 minutes.

Mrs. JONES of Ohio. Mr. Chairman, it gives me great pleasure to come to the floor in support of this great legislation. I want to say I am so proud of the Chair of the Small Business Committee. She was my first ranking member when I came to the Congress back in 1999, and I had the opportunity to serve on the Small Business Committee along with Financial Services.

We have all been talking about small businesses and how important it is, and it is all right to talk about it. But if you don't do anything about it, that presents a problem.

I think about the district that I represent, the greater Cleveland area, and the need we have to do economic development in the City of Cleveland. I am so glad this legislation focuses in on some of those areas. I represent a district that is 52 percent African American, and it is important that African American businesses in my congressional district have an opportunity to sit at the public too and receive some of those dollars in terms of developing their businesses.

One of the things that has happened over the years is being a minority business has gotten so good, there are people who perpetrate. That means they pretend they are a minority business. They will get a minority to stand in the front of their business, and the business is really a majority business. Or they will get a woman to stand in front, and it is really a majority business. And this legislation focuses in on the fraud.

I am so happy because there are so many businesses that deserve an opportunity to do business with the Federal Government. In addition, there are so many other areas of focus that this chairwoman has put a focus on around small business.

If we really believe that small business is the engine that pushes and grows America, let's give small businesses the train to push it. I thank her for her leadership. I thank her for an opportunity to speak this afternoon. I encourage all of my colleagues from the Democrats, as well as the Republican, who truly believe that small business needs a leg up to support this legislation.

Mr. CHABOT. Mr. Chairman, I continue to reserve.

Ms. VELÁZQUEZ. Mr. Chairman, I have no further speakers and I am prepared to close if the gentleman is prepared to close.

Mr. CHABOT. Mr. Chairman, we have already stated our concerns about the bill in particular, but I would again emphasize the fact that the chairwoman did reach out, and her staff did as well. But philosophically, this was a bridge too far. We want to thank them again for working in a cooperative manner. This is a committee that under the Chair's direction has worked very much with the minority, and we want to thank them and hope that we

can continue to work together on bills in the future.

Mr. Chairman, I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, the improvements made under H.R. 3867 are commonsense changes that would modernize and increase program accountability. Coupled with the sweeping reform the House passed earlier this year to our procurement system, this bill will have an immediate impact on every facet of the small business community, including women, minorities and service-disabled veterans.

It is for these reasons H.R. 3867 has some of the most diverse support of any bill coming out of the committee this year, ranging from small business trade groups including NFIB, the International Franchise Association and the Associated General Contractors to minority advocates such as the Black, Hispanic and Women's Chambers of Commerce. It also has the support of veterans groups, including the American Legion, VFW and AMVETS, as well as Aerospace Industries Association and the National Defense Industrial Association.

With the passage of H.R. 3867, we increase opportunities for entrepreneurs to become valuable suppliers to the Federal Government, recognizing their contribution to the economy.

I just would like to take a moment to thank the staff that worked on this legislation: from the Small Business Committee majority staff, Adam Minehardt, LeAnn Delaney and Michael Day; from the minority staff, Barry Pinclis and Kevin Fitzpatrick; and Nate Webb from Ms. FALLIN's staff.

I strongly urge my colleagues to vote for H.R. 3867, Small Business Contracting Program Improvements Act.

Mr. CONYERS. Mr. Chairman, two weeks ago, the House agreed nearly unanimously to pass H.R. 3678, the Internet Tax Freedom Act Amendments Act. Most significantly, that bill would extend the Internet tax moratorium and grandfather protections for 4 years, clarify the treatment of gross receipts taxes, and revise the definition of Internet access.

As my distinguished colleague from North Carolina, Congressman WATT, stated on the floor that day, the House bill was "an excellent example of what can occur when we work together—on both sides of the aisle—to deal with highly complex issues."

Our bipartisan legislation was supported by industry groups such as the Don't Tax Our Web Coalition, as well as by various government organizations like the National Governors Association, the Federation of Tax Administrators, the National Conference of Mayors, and the National Conference of State Legislatures. It was also supported by a wide range of labor and union groups. And with that broad support, the House passed H.R. 3678 by a vote of 405–2.

The Senate has returned the bill to us with some amendments, and so now we are considering it again. There are four changes:

First, the Senate version extends the moratorium on State and local taxes on Internet access, with the grandfather protections, for 7 years, until November 1, 2014, rather than the 4 years in the House bill.

Second, the Senate version gives 7 months for certain States to adjust to a phase-out of additional grandfather protection they have been claiming.

Third, the Senate version expands the definition of Internet access to prohibit taxation of certain services which are fee-based, not packaged with Internet access, and offered from sources other than providers of Internet access.

Fourth, the Senate version prohibits a State from reimposing Internet access taxes under a grandfather clause if the State had eliminated those taxes more than 2 years ago.

While these lengthier time periods, expanded definitions, and tighter restrictions on the States go beyond where the House drew the line, I believe the new line is within reasonable bounds, and responds to many of the same considerations that motivated the House in crafting the version passed 2 weeks ago.

Like the House bill, the Senate version is designed to allow businesses sufficient time to plan, ensure that consumers continue to benefit from tax-free access to the Internet during this period, while enabling Congress to revisit the moratorium in light of developments in the States or in technology—as Congress had done each time it has extended the original moratorium—in 2001, 2004 and in this bill.

The Senate version remains true to the essential goals of the House bill, including our refinements to the definition of Internet access and our decision to provide a temporary extension of the moratorium. Like the House bill, it is designed to minimize adverse effects on State and local government revenue, to treat businesses fairly, and to keep Internet access affordable to consumers.

Nonetheless, we must be mindful of the potential misinterpretation of the new definition of Internet access. Therefore, I state our intent in revising the definition. H.R. 3678:

Alters the current definition of "Internet access" by making it clear that the prohibition on State and local taxation extends to that portion of a service that connects a user to the Internet and enables a user to navigate the Internet for the purpose of gaining access to the content, information and services that are available over the Internet (section 1105(5)(A) of the Internet Tax Freedom Act as amended by this bill). This new definition eliminates existing language that could have been interpreted to allow an Internet service provider to bundle content, information, and services that might otherwise be taxable with Internet access and claim that the entire package is exempt.

Preserves in subparagraph B of the new definition of Internet access changes made to the definition in the Internet Tax Non-discrimination Act (P.L. 108–435) regarding the taxation of certain telecommunications. The language is modified in this bill only as to form to fit the new definition of Internet access as contained in this bill. The provision is intended to insure that all technologies used to access the Internet (e.g. cable, satellite, wireless, DSL, etc.) and the components used to provide the access are subject to the moratorium and protected from taxation by State and local governments. As noted in the Committee Report accompanying the bill that ultimately became Pub. L. No. 108–435 (Senate Report 108–155, 108th Congress, 1st Session, p. 4), the definition "is not meant to affect States and local taxation of traditional telecommuni-

cations services and other services that are not used to provide Internet access. For example, the moratorium does not allow an Internet access provider to claim or to seek immunity from State or local taxes for the provision of other services—such as cable television programming—that are separate from Internet access. Nor does the moratorium exempt telecommunications services provided over the same facilities that are not used to provide Internet access."

Clarifies in subparagraph C that services incidental to and provided with a connection to the Internet are not taxable. Such services are generally offered for free and provide the user with basic services to make the Internet functional for the user.

Addresses in subparagraph D concerns that the existing definition allows goods or services that are used or delivered over the Internet to become subject to the moratorium if they are offered as a package with Internet access. In 2004, concerns about the bundling provision led to a specific exception from the moratorium for voice-over-internet-protocol services. This section defines the VOIP exception of the current law as one of the services that is specifically excluded from Internet access and makes it clear that neither VOIP nor any other good or service that uses the Internet is subject to the moratorium. Since VOIP is specifically excluded from the definition of Internet access, the existing exception for VOIP was removed as redundant.

Includes in the new definition in subparagraph E certain services that would be subject to the moratorium under subparagraph C if offered with a service described in subparagraph A, are part of the moratorium even though they are fee-based and offered separately from a service described in subparagraph A. The list of services under this subparagraph is meant to be limited and exhaustive.

Mr. Chairman, H.R. 3678 as amended by the Senate remains a good, strong bill that provides much needed clarity to the communications and Internet industries, and strikes an appropriate balance in addressing the needs of States and local governments while helping keep Internet access affordable.

Mr. Chairman, I urge my colleagues on both sides of the aisle to join me in supporting this bill as the Senate has sent it back to us.

Mr. BRALEY of Iowa. Mr. Chairman, I would like to take a moment to thank Small Business Committee Chairwoman NYDIA VELÁZQUEZ and Ranking Member STEVE CHABOT for all the great work they have done in the Small Business Committee this year.

As Chairman of the Small Business Subcommittee on Contracting and Technology and a cosponsor of this legislation, I applaud their efforts on the Small Business Contracting Improvements Act of 2007. This act proposes important improvements to the Small Business Administration's small and minority business procurement programs.

Today I am proud to introduce an amendment with Congressman PETER WELCH on an issue that could have a potential impact in my district. This amendment requires the Small Business Administration to conduct a study on the effectiveness of the HUBZone program in reaching rural areas. Rural areas make up a big part of my District and I want to ensure that my constituents are not overlooked when it comes to federal contracting opportunities.

H.R. 3867 will help small businesses. In the Small Business Subcommittee on Contracting and Technology's first hearing, we heard witnesses representing women-owned businesses describe how the federal government was failing to keep its commitment to them. They talked not only about how the 5 percent goal for women-owned businesses was not being met, but also about how the Women's Procurement Program, which was enacted in 2000, has yet to be implemented by the SBA. This bill will ensure the Women's Procurement Act is finally implemented.

I am pleased this legislation also expands procurement opportunities for small businesses owned by service-disabled veterans. Additionally, it strengthens community development through changes to the HUBZone program and makes important updates to the 8(a) program, which is one of the most important vehicles for minority business participation in federal contracting.

The SBA Office of Advocacy has found that although minorities make up 32% of the population in this country, they constitute only 18% of businesses. It is clear we must provide additional opportunities to these small minority businesses to close this gap.

By law, federal organizations are required to support small businesses. However, over the past 5 years, total government contracting has increased by 60% while small business contracts have decreased by 55%. This suggests that the SBA's procurement initiatives are not bringing work from the large business share to the small business share, but rather are forcing small businesses to compete for an increasingly smaller piece of the pie.

It is essential that small businesses have access to the over \$400 billion per year federal marketplace. The Small Business Contracting Improvements Act nicely complements H.R. 1873, the Small Business Fairness in Contracting Act, a bill I introduced in April that later passed the House on May 10th by an overwhelming bipartisan vote of 409–13. My bill will give small businesses more opportunities to compete for federal contracts, raising the small business federal contracting goal from 23% to 30%. This means that all of the programs included in the Small Business Contracting Improvements Act will have greater opportunities to compete for federal contracts.

Thank you once again, Mr. Chairman, and thank you to all of my colleagues who join me today in standing up for the interests of small businesses.

Ms. CASTOR. Mr. Chairman, the Small Business Contracting Improvements Act and this rule will open up greater opportunities to small business owners across this Nation. Small businesses are the backbone of our local communities. In my hometown of Tampa, Florida, more of my neighbors and folks I represent work for small businesses than any other type of business—and we value what they do because it gives our community character and diversity.

I want to thank Congresswoman VELÁZQUEZ for bringing this legislation to the House floor today. In America, small businesses account for 50 percent of our gross domestic product. Last year, the federal government spent over \$400 billion on goods and services and only about 20 percent went to small businesses—approximately \$80 billion in contracts. Our actions today will assist these talented small businesses obtain a better, fair share of federal government contracts.

The Small Business Contracting Improvements Act also strengthens and modernizes contracts for small businesses and sets standards to protect the integrity and consistency. Despite a 50-year-old mandate, small businesses owned by disabled veterans, female entrepreneurs, and minorities have not received a fair share of federal contracts. Back home in Tampa, there are 47 disabled veteran businesses, 512 state-certified minority-owned businesses, and over 77,000 small businesses. I am proud that we will act to expand their opportunities, with others across the country so that they can thrive and flourish.

Although the Congress passed the Women's Procurement Program 7 years ago, the Bush Administration failed to follow through. According to Margot Dorfman, CEO of the U.S. Women's Chamber of Commerce, each year of delay in the implementation of the Women's Procurement Program, has cost women-owned businesses billions of dollars in contract award opportunities.

Businesses owned by disabled veterans currently receive only a small fraction of federal contracts as well. We can expect to see an immediate and substantial increase in opportunities for these business owners.

And for businesses that go into economically distressed neighborhoods like "HUBZones," this bill will ensure further community development through the strengthening of the HUBZone requirements. For example, Carl Calhoun, in South St. Petersburg explained to me that had it not been for the chance to compete for federal contracts that he would not have gotten the capital necessary to start his family-owned and -operated business that manufactures premium bedding (mattresses, box springs and foundations).

Mr. Chairman, this important small business bill and this rule will update and expand opportunities and encourage participation by qualified small businesses. We will remove barriers that prevent deserving businesses in my Tampa Bay district, and others across the country, from achieving the goal of full participation and a fair share of federal contracts.

Mr. THOMPSON of Mississippi. Mr. Chairman, I rise today in strong support of H.R. 3867, the Small Business Contracting Program Improvements Act.

I want to thank Chairwoman VELÁZQUEZ for introducing this important legislation, and for all of her hard work in getting it to the floor today.

This bill is important to all Americans, because small business keeps this country working.

The Federal Government has numerous programs to assist America's small businesses, but problems remain, and H.R. 3867 addresses several of them.

In particular, I support the bill's efforts to crack down on large firms that masquerade as small businesses.

In the aftermath of Hurricane Katrina, we learned about a particular multinational corporation that listed itself as a small business and gained disaster recovery contracts set aside for small businesses.

When we checked further, we found that this firm had 17 divisions and had generated \$4.5 billion in revenue in its North American operation alone.

That surely doesn't look like any small business I've ever seen.

Moreover, we learned that this was not the first time that this multinational company had

been awarded contracts that were set aside for small businesses.

In fact, another government agency had given them an award for outstanding "small business performance".

H.R. 3867 creates penalties for companies that misrepresent themselves as being owned by "a service-disabled veteran."

This is a good first step at cracking down on companies that misrepresent themselves to improperly gain government contracts.

At the same time, the Small Business Administration needs to step up and do more.

SBA must full its responsibility to enforce the laws and allow small businesses the opportunities that Congress has said they should have.

Until the laws we pass are truly enforced, small business will never be able to fulfill their economic promise.

I urge my colleagues to support it.

Mr. MANZULLO. Mr. Chairman, I rise in reluctant opposition to the Small Business Contracting Program Improvements Act (H.R. 3867). The aims of this legislation are noble. The purpose of this bill is to make a variety of changes—some long overdue—to several of the sub-small business federal contracting goals.

I commend the authors of H.R. 3867 for strengthening the procurement set-aside program for service-disabled veteran-owned small businesses in Title I. I also praise the effort to finally get the women's procurement program off the ground. During my tenure as chairman of the Small Business Committee, I was proud of my bipartisan work to pressure the SBA to implement this initiative. However, I remind my colleagues that under the new leadership of the administrator of the Small Business Administration, SBA, Steven Preston, more action has been taken in the past year to implement the women's procurement program than in the previous seven since the program was first created. The SBA is near completion of a final rule, which will pass constitutional muster, on the women's procurement program. Thus, I counsel continued patience and I hope that Title III in H.R. 3867 will not be needed.

However, I am disappointed that the increase in the size in contracts available to small manufacturers awarded without competition is not significantly increased. While Section 204 of H.R. 3867 provides a long-overdue inflationary increase to the contract limitation level for other small businesses, from \$3 million to \$5.1 million, the size for small manufacturers is increased by just \$500,000—from \$5 million to \$5.5 million. This small increase diminishes the value of this benefit to U.S. small manufacturers, particularly as compared to other small businesses. To keep up with inflation and provide an equivalent benefit, this contract limitation should be increased to \$8.5 million for small manufacturers.

This bill also unfortunately pits two sets of small businesses against each other—a minority small business development program 8(a) versus a procurement preference program that encourages small businesses to develop and hire local workers in economically-distressed areas of the country, otherwise known as Historically Underutilized Business, HUB, Zones. When I was chairman of the Small Business Committee, I never brought a bill to the House floor that helped one set of small businesses at the expense of another group of small businesses, particularly those

firms that are committed to redeveloping economically-distressed areas in both urban and rural America.

H.R. 3867 makes the 8(a) program more attractive while putting more hurdles in front of the HUBZone program. This is ironic because the Federal government has never met the 3 percent goal for HUBZones since its creation in 1996 but routinely meets and exceeds the 5 percent goal for minority or Small Disadvantaged Businesses, SDBs, of which 8(a) firms is a part.

A key blow to the HUBZone program is contained in Section 101(b) of H.R. 3867. This provision makes the HUBZone program discretionary or optional on the part of Federal contracting officers. This will only further discourage the use of HUBZone firms by the government to fulfill its procurement needs.

H.R. 3867 also requires an on-site inspection by SBA personnel of a small business to confirm HUBZone status prior to the award of their second program-related contract. Because of the limited resources at the SBA, this could delay the completion of contracts by weeks, if not months, while the HUBZone firm awaits this audit. Again, a Federal contracting official would be disinclined to use a HUBZone firm if it meant a longer time before a Federal agency would receive the good or service that was put out to bid. The non-partisan Congressional Budget Office, CBO, estimates that this provision alone would cost \$62 million over the next 5 years to complete 5,000 on-site visits that would be performed each year. There are other ways to accomplish the same goal of making sure that HUBZone firms are in compliance with all the requirements of the law, including a closer review by the SBA of HUBZone applications, an expedited protest process by other small businesses, and enhanced criminal and civil penalties for false or misleading statements.

Finally, H.R. 3867 prohibits HUBZone construction firms from participating in projects more than 150 miles from its headquarters location. This would put a severe competitive disadvantage to HUBZone firms located in rural areas from performing work on Federal Government construction contracts located far away.

In the northern Illinois congressional district I am proud to represent, two entire mostly rural counties—Carroll and Stephenson—are HUBZones. Also, HUBZones are located in certain urban parts of Winnebago County, mostly in the city center areas of Rockford along the Rock River that have suffered from the closure of numerous manufacturing facilities. This bill would put a further competitive disadvantage to any HUBZone firms located in the 16th District to compete for Federal business located even as close as the nearest major Federal procuring center in Illinois—Scott Air Force Base, which is about 300 miles away from Rockford and Freeport, Illinois.

While claiming to correct alleged abuses and fraud in the HUBZone program, H.R. 3867 opens up the 8(a) program to potential abuse by increasing the economic disadvantage threshold test above the average rate of inflation and applying this test only once upon entry into the program. The current economic disadvantage threshold level, which has not been changed since 1988, is \$250,000. I agree that this level needs to be increased to compensate for inflation. However, H.R. 3867

raises this level to \$550,000 even though the rate of inflation since 1988 would produce a result of \$440,000, according to the Bureau of Labor Statistics. Also, the SBA currently applies this wealth test annually to ensure that the 8(a) program truly serves economically disadvantaged small business owners. Eliminating this yearly test could potentially lead to fraud if a wealthy person seeking entry into the 8(a) program is creative in shifting around their assets. H.R. 3867 would also allow multimillionaires to remain in the 8(a) program for 10 years once they pass the first economic disadvantage test.

Most critically, H.R. 3867 does not deal with the fundamental problem in the 8(a) program cited in numerous SBA Office of Inspector General reports that 50 percent of the dollars obligated against 8(a) contracts went to a mere 1.7 percent of the 8(a) firms and over 70 percent of the eligible firms received no 8(a) contract benefit at all. Finally, H.R. 3867 also does not deal with the problem of large Alaska Native Corporations, ANC's, being able to participate in the 8(a) program and receive sole-sourced multi-million dollar contracts.

Because of these and other problems, the Bush Administration has issued a statement strongly opposing H.R. 3867, which I include for the RECORD. Thus, I respectfully urge my colleagues to oppose this legislation in order for these problems to be fixed.

STATEMENT OF ADMINISTRATION POLICY—H.R. 3867—SMALL BUSINESS CONTRACTING PROGRAM IMPROVEMENTS ACT

The Administration strongly opposes H.R. 3867, which would modify the small business procurement programs of the Small Business Administration. The Administration appreciates the intent of H.R. 3867 to improve these programs and reduce the potential for fraud and abuse. However, the Administration believes that a number of the bill's elements would be burdensome or undesirable. In addition, some provisions of the bill raise significant constitutional concerns. The Administration looks forward to working with Congress to remedy the issues identified below.

The bill also eliminates the upper asset limit on economic disadvantage for continued participation in the program, essentially allowing an individual regardless of their wealth or income to continue participating in the program for a full 10 years. The bill would raise the asset-test bar for eligibility of individuals for the 8(a) program from \$250,000 to \$550,000, excluding equity in their home or their business. As the 8(a) program is designed to reach economically disadvantaged small business owners who have diminished credit opportunities, the Administration believes opening the program to small business owners with higher net worth will divert 8(a) contracting opportunities well beyond the original intent of the program.

H.R. 3867 would place a number of burdensome requirements on the HUB Zone contracting program. The bill would prohibit rural and Native American HUB Zone firms from obtaining construction contracts more than 150 miles from their HUB Zone principal office. The bill would also require on-site evaluation of all HUB Zone firms prior to the award of their second program-related contract. This provision would create a large burden on the Small Business Administration, as these firms are widely distributed and often located in rural areas. The firms are already required to certify their status prior to award of a contract, and false certification is a felony with significant penalties. Also, the Small Business Administra-

tion currently has a protest mechanism in place to ensure the eligibility of firms for HUB Zone contracts.

The Administration is supportive of sections of H.R. 3867 that punish false representation of a firm as being owned by service-disabled veterans and provisions that attempt to assist such firms in the Federal contracting process. However, the Administration is concerned about provisions that would require that certain small business preference programs take priority over other small business preference programs.

H.R. 3867 would also increase dollar thresholds for setting-aside non-competitive contracts in several of these programs. Competition is a proven way of obtaining the best performance and value for the government. Accordingly, any non-competitive thresholds increase should be based on the actual rate of inflation as reflected in regulatory changes instituted by the SBA.

While the Administration supports opportunities for women-owned small businesses (WOSBs) to compete for Federal contracts, it opposes the bill's constitutionally suspect creation of gender-based set-asides. In order to withstand applicable equal protection standards, determinations of under-representation that form the basis of set-asides must be carefully controlled to assure that the pool of WOSBs deemed available for the contracting opportunities in question is limited to businesses that are eligible to perform those contracts. The bill's provisions for the identification of industries in which WOSBs are under represented does not appear to satisfy that standard. Additionally, authorizing individual agencies to make determinations of under representation that will result in contract set-asides based on sex will exacerbate such constitutional concerns, since it is unlikely that such determinations will be based upon the kind of thorough statistical analysis required by the courts to justify such set-asides under applicable case law.

Additionally, the bill's apparent expansion of the business categories that will be eligible for race- or ethnicity-based preferences in Federal contracting programs is subject to strict scrutiny under governing equal protection standards. Unless these provisions are supported by a sufficiently current legislative record demonstrating that they are narrowly tailored to further a compelling government interest, such provisions may be vulnerable to constitutional challenge.

Ms. HIRONO. Mr. Chairman, I rise in support of H.R. 3867, the Small Business Contracting Program Improvements Act.

This bill expands procurement opportunities for small businesses owned by service-disabled veterans, women entrepreneurs, and socially disadvantaged business owners. These firms remain under-represented in the Federal contracting marketplace and have yet to receive their fair share of Federal Government contracts.

H.R. 3867 assists small businesses owned by service-disabled veterans by requiring agencies to award sole-source contracts to these firms if they are identified as being capable of performing the contracts. These businesses currently receive less than one percent of Federal Government contracting dollars. Authorizing agencies to enter into sole-source contracts with service-disabled veteran-owned firms will raise the likelihood of these firms obtaining Federal contracts. Moreover, H.R. 3867 provides an inflationary adjustment to the limitation on contracts by increasing the size of available contracts awarded without competition to \$5.1 million.

This bill directs the Small Business Administration, SBA, to comply with an Executive

Order requiring the SBA to provide service-disabled veteran-owned companies with information and assistance on Federal contracting as well as assist other agencies in their strategies to expand contracting opportunities for them.

Passage of this bill is also important for our women-owned businesses. In 2000, Congress enacted the Women's Procurement Program to expand opportunities for Federal contracts to women business owners within industries in which they have been significantly under-represented. On behalf of women-owned businesses, the U.S. Women's Chamber of Commerce sued the SBA over the delay in implementing the program and won their lawsuit in 2005. Seven years after the Women's Procurement Program was enacted into law, however, the SBA has yet to establish regulations that would implement this vital program. I share Chairwoman VELÁZQUEZ's frustration with this delay and her admonishment to the SBA to remedy the situation.

H.R. 3867 requires the SBA to implement the Women's Procurement Program immediately. The bill makes economically disadvantaged women entrepreneurs eligible for restricted competition contracts and gives the SBA the authority to waive this requirement in industries that are substantially under-represented by women-owned businesses. Today, women-owned small businesses capture only about 3 percent of Federal small-business contracting dollars. We need this legislation to encourage women entrepreneurs to participate in the Federal contract marketplace.

H.R. 3867 expands and modernizes the 8(a) Business Development Program, which has not been amended since 1988. The 8(a) program currently assists over 9,000 small businesses owned by socially and economically disadvantaged individuals, including about 200 firms in my State of Hawaii. H.R. 3867 makes two main improvements to this program: it provides for an inflationary increase in net worth limitations to a maximum of \$550,000 for program participants and extends the duration of program participation from 9 to 10 years. Increasing the net worth ceiling will bring stronger firms into the 8(a) program.

Finally, I support this bill because it addresses contracting problems and increases oversight over unqualified businesses by setting standards that protect the integrity and consistency in application of contract assistance programs. H.R. 3867 mandates government-wide goals for procurement contracts awarded to small businesses. In addition, it requires the SBA to perform the necessary checks on program applicants and participants to confirm their business integrity and qualifications. This is important given recent findings by the SBA Inspector General of fraud and abuse in the Historically Underutilized Business Zone (HUBZone) program.

Chairwoman VELÁZQUEZ has noted that the Federal Government failed to meet its small and minority business goals for a 6th year in a row, costing entrepreneurs \$4.5 billion in lost opportunities. H.R. 3867 is another step in the right direction to help our small businesses, and I thank Chairwoman VELÁZQUEZ for her commitment and strong leadership in sponsoring this important legislation.

I urge my colleagues to support this measure.

Ms. MOORE of Wisconsin. Mr. Chairman, I rise today in strong support of H.R. 3867, the

Small Business Contracting Program Improvements Act.

I would specifically like to focus on Title V of the bill which would make changes to the 8(a) program. The 8(a) program is the last remaining federal initiative focusing on the development of minority-owned businesses through the award of federal contracts. Despite the fact that minorities make up one-third of the U.S. population, minority-owned businesses account for only 18 percent of all U.S. companies. This bill provides a strong step forward in increasing minority entrepreneurship.

It is of great concern to me that 8(a) hasn't been updated since 1988, nearly 20 years ago. This bill would finally modernize the 8(a) program to reflect the changing economy. I am pleased at the similarities between the bill before us and legislation that I introduced this spring, H.R. 2532, the Minority Owned Venture Empowerment Act or MOVE Act. Like my legislation, businesses would have the opportunity to participate in the program for 10 years. This 1-year program extension would provide businesses more time to successfully grow and graduate out of the program. Additionally, similar to my proposal, this bill would raise the net worth restriction of the small business owner so that successful minority businesses are not shut out of the program prematurely.

We must make more of an effort to encourage minority, women and veteran entrepreneurship. This bill would ensure that these businesses can compete fairly in the federal marketplace, grow their enterprises and create new jobs. I urge all members to support the legislation before us.

Ms. BORDALLO. Mr. Chairman, I rise today in support of H.R. 3867, the Small Business Contracting Program Improvements Act. Enjoying broad based and bi-partisan support, this bill will help modernize the contracting programs run by the U.S. Small Business Administration, SBA, raise the profile of veteran, minority and women entrepreneurs, and help combat fraud, waste and abuse in government contracting.

Of particular note, Section 402 of H.R. 3867 strengthens the Historically Underutilized Business Zone, HUBZone, program and promotes community economic development. That is, HUBZone registered small businesses cannot obtain a construction contract by means of a HUBZone set-aside unless the construction project is located in or near the HUBZone in which the small business concern maintains its principal place of business.

Guam, my district, will be home to a significant amount of federally funded construction and other work associated with the planned increase in the presence of U.S. Armed Forces on our military bases. The provisions of H.R. 3867 will help ensure small businesses on Guam can successfully compete for the contracts associated with the military build-up. I support H.R. 3867.

□ 1230

Ms. VELÁZQUEZ. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 3867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Small Business Contracting Program Improvements Act".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ENSURING GOVERNMENT CONTRACT OPPORTUNITIES FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS

Sec. 101. Expanding procurement opportunities.

Sec. 102. Penalties for misrepresentation.

Sec. 103. Implementation of Executive Order 13360.

TITLE II—PROTECTING TAXPAYERS AND ENSURING PROGRAM CONSISTENCY

Sec. 201. Requiring business integrity of small business concerns.

Sec. 202. Establishment of goals.

Sec. 203. Small business concern subcontracting policy.

Sec. 204. Increased size of available contracts.

TITLE III—EXPANDING OPPORTUNITIES FOR WOMEN ENTREPRENEURS

Sec. 301. Implement the women's procurement program.

TITLE IV—STRENGTHENING COMMUNITY DEVELOPMENT

Sec. 401. On-site verification.

Sec. 402. Limitation on construction contracts.

Sec. 403. Allowing small business concerns that are not HUBZone program participants to protest HUBZone awards.

TITLE V—MODERNIZING THE 8(a) PROGRAM

Sec. 501. Modernizing the section 8(a) program net worth limitations.

Sec. 502. Extension of the section 8(a) program term.

Sec. 503. Report on implementation.

Sec. 504. Allowing small business concerns that are not section 8(a) program participants to protest section 8(a) awards.

TITLE VI—OTHER MATTERS

Sec. 601. Affiliation for certain franchises.

TITLE I—ENSURING GOVERNMENT CONTRACT OPPORTUNITIES FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS

SEC. 101. EXPANDING PROCUREMENT OPPORTUNITIES.

(a) **SERVICE-DISABLED VETERANS.**—Section 36(a) of the Small Business Act (15 U.S.C. 657f(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "may" and inserting "shall"; and

(2) in paragraph (1), by striking "and the contracting officer" and all that follows through "contracting opportunity".

(b) **HUBZONE.**—Section 31(b)(2)(B) of such Act (15 U.S.C. 657a(b)(2)(B)) is amended by striking "shall" and inserting "may".

SEC. 102. PENALTIES FOR MISREPRESENTATION.

Section 16(d)(1) of the Small Business Act (15 U.S.C. 645(d)(1)) is amended by inserting "a 'small business concern owned and controlled by service-disabled veterans,'" before "or a 'small business concern owned and controlled by women'".

SEC. 103. IMPLEMENTATION OF EXECUTIVE ORDER 13360.

Section 36 of the Small Business Act (15 U.S.C. 657f) is amended by adding at the end the following new subsection:

“(f) IMPLEMENTATION OF EXECUTIVE ORDER 13360.—The Administrator shall—

“(1) provide small business concerns owned and controlled by service-disabled veterans with information and assistance concerning participation in Federal contracting;

“(2) advise and assist other agencies in their strategies to expand procurement opportunities for such concerns; and

“(3) make training assistance on Federal contract law, procedures, and practices available to such concerns.”.

TITLE II—PROTECTING TAXPAYERS AND ENSURING PROGRAM CONSISTENCY

SEC. 201. REQUIRING BUSINESS INTEGRITY OF SMALL BUSINESS CONCERNS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following new section:

“SEC. 38. REQUIRING BUSINESS INTEGRITY OF SMALL BUSINESS CONCERNS.

“(a) SECTION 8(a) PROGRAM BACKGROUND CHECK.—No applicant may be approved for participation in the section 8(a) program unless the Administrator first performs a background check on the applicant and determines that the applicant does not lack business integrity.

“(b) HUBZONE PROGRAM BACKGROUND CHECK.—No award of a second contract under the authority of section 31(b)(2)(A) or 31(b)(2)(B) may be made unless the Administrator first performs a background check on the applicant and determines that the applicant does not lack business integrity.

“(c) RANDOM BACKGROUND CHECK.—The Administrator shall have random background checks performed on owners and officers of small business concerns that have been awarded a contract under section 8(m), 36(a), or 36(b) to determine whether such owners and officers lack business integrity.”.

SEC. 202. ESTABLISHMENT OF GOALS.

(a) ESTABLISHMENT OF GOVERNMENT-WIDE GOALS.—Section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) is amended by striking the first sentence and inserting “The President shall annually establish Government-wide goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns participating in the program established by section 8(a), and small business concerns owned and controlled by women.”.

(b) TECHNICAL CORRECTIONS.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(1) in subsection (g) by adding at the end the following:

“(3) Each agency shall, in consultation with the Administrator, establish goals for the usage, as prime contractors, of small business concerns that participate in the program under section 8(a).”; and

(2) in subsection (h) by adding at the end the following:

“(4) Each prime contractor shall, in consultation with the Administrator, establish goals for the usage, as subcontractors, of small business concerns that participate in the program under section 8(a).”.

SEC. 203. SMALL BUSINESS CONCERN SUBCONTRACTING POLICY.

Section 8(d)(1) of the Small Business Act (15 U.S.C. 637(d)(1)) is amended by striking the first sentence and inserting “It is the policy of the United States that small business concerns, small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, qualifying HUBZone small business concerns, small

business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns participating in the program established by section 8(a), and small business concerns owned and controlled by women, shall have the maximum practicable opportunity to participate in the performance contracts let by any Federal agency, including contracts and subcontracts for subsystems, assemblies, components, and related services for major systems.”.

SEC. 204. INCREASED SIZE OF AVAILABLE CONTRACTS.

(a) SECTION 8(a) PROGRAM.—Section 8(a)(1)(D)(i)(II) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II)) is amended—

(1) by striking “\$5,000,000” and inserting “\$5,500,000”; and

(2) by striking “\$3,000,000” and inserting “\$5,100,000”.

(b) HUBZONE PROGRAM.—Section 31(b)(2)(A)(ii) of such Act (15 U.S.C. 657a(b)(2)(A)(ii)) is amended—

(1) by striking “\$5,000,000” and inserting “\$5,500,000”; and

(2) by striking “\$3,000,000” and inserting “\$5,100,000”.

(c) SERVICE-DISABLED VETERAN PROGRAM.—Section 36(a)(2) of such Act (15 U.S.C. 657f(a)(2)) is amended—

(1) by striking “\$5,000,000” and inserting “\$5,500,000”; and

(2) by striking “\$3,000,000” and inserting “\$5,100,000”.

TITLE III—EXPANDING OPPORTUNITIES FOR WOMEN ENTREPRENEURS

SEC. 301. IMPLEMENT THE WOMEN'S PROCUREMENT PROGRAM.

Subsection (m) of section 8 of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) by striking paragraphs (1) through (4) and inserting the following:

“(1) DEFINITION.—In this subsection, the term ‘small business concern owned and controlled by women’ has the meaning given such term in section 3(n), except that ownership shall be determined without regard to any community property law.

“(2) AUTHORITY TO RESTRICT COMPETITION.—

“(A) IN GENERAL.—In accordance with this subsection, a contracting officer may restrict competition for any contract for the procurement of goods or services by the Federal Government to small business concerns owned and controlled by women, if—

“(i) each of the concerns is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law);

“(ii) the contracting officer has a reasonable expectation that 2 or more small business concerns owned and controlled by women will submit offers for the contract;

“(iii) the contract is for the procurement of goods or services with respect to an industry identified pursuant to paragraph (4);

“(iv) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price; and

“(v) each concern is certified in a manner described in subparagraph (B).

“(B) ACCEPTANCE OF CERTIFICATION.—For purposes of subparagraph (A)(v), a contracting officer is required to accept a small business concern's certification as a small business concern owned and controlled by women when such certification is made by—

“(i) a Federal agency or a State or local government;

“(ii) a national certifying entity approved by the Administrator; or

“(iii) the small business concern, when such concern certifies to the contracting officer that it is a small business concern owned and controlled by women and provides

adequate documentation in accordance with standards established by the Administrator to support such certification.

“(3) WAIVER.—With respect to a small business concern owned and controlled by women, the Administrator may waive paragraph (2)(A)(i) if—

“(A) such concern is in an industry identified pursuant to paragraph (4); and

“(B) the Administrator determines that such concern is in an industry in which small business concerns owned and controlled by women are substantially underrepresented in Federal contracting.

“(4) IDENTIFICATION OF INDUSTRIES.—

“(A) IN GENERAL.—Not less often than every five years, the Administrator shall conduct a study to identify, for purposes of paragraphs (2)(A)(iii) and (3)(A), industries in which small business concerns owned and controlled by women are underrepresented in Federal contracting. The parameters for the study shall be as follows:

“(i) For purposes of this paragraph, the Administrator shall identify an industry if, and only if, the share of Federal contracts awarded to small business concerns owned and controlled by women in such industry is small relative to the prevalence of business concerns owned and controlled by women in the pool of business concerns in such industry that have at least one employee.

“(ii) The study shall measure utilization and availability by—

“(I) using the two best available data sources;

“(II) including only business concerns that have at least one employee; and

“(III) measuring only Federal contracts awarded for amounts over \$25,000.

“(iii) The study shall include four sets of disparity measurement tables to compute disparity ratios. The four sets are—

“(I) all business concerns in the United States relative to the number of Federal contracts awarded to small business concerns owned and controlled by women;

“(II) small business concerns owned and controlled by women that have demonstrated an interest in or that have secured Federal contracts relative to the number of Federal contracts awarded to small business concerns owned and controlled by women;

“(III) all business concerns in the United States relative to the dollar amounts of Federal contracts awarded to small business concerns owned and controlled by women; and

“(IV) small business concerns owned and controlled by women that have demonstrated an interest in or that have secured government contracts relative to the dollar amounts of Federal contracts awarded.

“(B) DETERMINATION BY HEAD OF DEPARTMENT OR AGENCY.—Until such time as the Administrator completes the identification of industries required by subparagraph (A), the determination as to whether an industry is one in which small business concerns owned and controlled by women are underrepresented in Federal contracting shall be made by the head of the department or agency for which the contract is to be performed.

“(C) DEADLINE.—Not later than 90 days after the date of the enactment of this subparagraph, the Administrator shall—

“(i) ensure the completion of the first study required by subparagraph (A);

“(ii) approve national certifying entities for the purposes of paragraph (2)(B)(ii);

“(iii) establish procedures required by paragraph (5)(A); and

“(iv) establish standards described in paragraph (2)(B)(iii).”; and

(2) in paragraph (5), by striking “(2)(F)” in each place it appears and inserting “(2)(B)”; and

(3) in paragraph (5), by adding at the end the following new subparagraph:

“(D) PROTESTS BY SMALL BUSINESS CONCERNS.—For purposes of this paragraph, the term ‘interested party’ shall include any small business concern.”.

TITLE IV—STRENGTHENING COMMUNITY DEVELOPMENT

SEC. 401. ON-SITE VERIFICATION.

Section 31(b) of the Small Business Act (15 U.S.C. 657a(b)) is amended by adding at the end the following:

“(5) ON-SITE VERIFICATION OF STATUS.—

“(A) VERIFICATION.—When a small business concern that has previously been awarded a contract under paragraph (2)(A) or (2)(B) is to be awarded a second contract under paragraph (2)(A) or (2)(B), the Administrator shall perform an on-site inspection to determine whether such small business concern is a qualified HUBZone small business concern. This paragraph does not require such an inspection before the award of a third or subsequent contract. This paragraph does not prevent a second contract from being awarded before such inspection is completed.

“(B) NOTIFICATION BY SMALL BUSINESS CONCERN.—The Administrator shall require a small business concern to notify the Administrator, prior to being awarded a second contract under paragraph (2)(A) or (2)(B), of such business concern’s attempt to be awarded a second contract under paragraph (2)(A) or (2)(B). Not later than 90 days after the date of the enactment of this subparagraph, the Administrator shall establish procedures to implement this subparagraph.”.

SEC. 402. LIMITATION ON CONSTRUCTION CONTRACTS.

Section 31(b) of the Small Business Act (15 U.S.C. 657a(b)) is amended by adding at the end the following:

“(6) LIMIT HUBZONE PROGRAM CONSTRUCTION CONTRACTS IN OR NEAR A HUBZONE.—A small business concern may not obtain a construction contract by reason of the HUBZone program unless the construction project is located in or near the HUBZone in which the small business concern has its principal place of business. The Administrator shall prescribe standards for determining when a project is located ‘near’ a HUBZone for purposes of this paragraph, except that under no circumstances can a project located more than 150 miles from a HUBZone be located ‘near’ that HUBZone.”.

SEC. 403. ALLOWING SMALL BUSINESS CONCERNS THAT ARE NOT HUBZONE PROGRAM PARTICIPANTS TO PROTEST HUBZONE AWARDS.

Section 31(c) of the Small Business Act (15 U.S.C. 657a(c)) is amended by adding at the end the following new paragraph:

“(5) PROTESTS BY SMALL BUSINESS CONCERNS.—For purposes of this subsection, the term ‘interested party’ shall include any small business concern.”.

TITLE V—MODERNIZING THE 8(a) PROGRAM

SEC. 501. MODERNIZING THE SECTION 8(a) PROGRAM NET WORTH LIMITATIONS.

(a) MODIFICATIONS TO 8(a) PROGRAM.—Notwithstanding any provision of the Small Business Act (15 U.S.C. 631 et seq.), the Administrator shall administer the program under section 8(a) of such Act with the following modifications:

(1) DETERMINATION FOR TERM OF PROGRAM.—For the purpose of this section, an individual who has been determined by the Administrator to be economically disadvantaged at the time of program entry shall be deemed to be economically disadvantaged for the term of the program.

(2) MATTERS EXCLUDED.—In determining personal net worth, the Administrator shall exclude from such determination the following:

(A) The value of any investment of an economically disadvantaged owner in the small business concern, except that such value shall be taken into account under this paragraph when comparing such concerns to other concerns in the same business area that are owned by other than socially disadvantaged individuals.

(B) The equity of an economically disadvantaged owner in a primary personal residence.

(3) MAXIMUM NET WORTH.—When considering an individual’s net worth for the purpose of determining the degree of diminished credit and capital opportunities of such individual, the Administrator shall consider an individual net worth of \$550,000 or less as tending to show diminished credit and capital opportunities.

(b) EFFECTIVE DATE FOR MODIFICATIONS TO THE 8(a) PROGRAM.—This section shall apply with respect to small business concerns that apply to the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) after the date of the enactment of this Act.

SEC. 502. EXTENSION OF THE SECTION 8(a) PROGRAM TERM.

(a) PROGRAM TERM.—The program term for the program under section 8(a) of the Small Business Act shall be 10 years. The first 6 years shall be the developmental phase, and the last 4 years shall be the transitional phase.

(b) EFFECTIVE DATE FOR MODIFICATIONS TO THE 8(a) PROGRAM.—

(1) IN GENERAL.—This section shall apply with respect to small business concerns that apply to the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) after the date of the enactment of this Act.

(2) TRANSITIONAL RULE.—A small business concern participating in the program under section 8(a) of such Act (15 U.S.C. 637(a)) may participate for not more than 10 years.

SEC. 503. REPORT ON IMPLEMENTATION.

Section 155 of the Small Business Reauthorization and Manufacturing Assistance Act of 2004 (15 U.S.C. 657g) is amended by adding at the end the following: “Annually, concurrent with the submission of the Small Business Administration’s budget request to the Congress, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report detailing progress the Administrator has made towards the implementation of this section.”.

SEC. 504. ALLOWING SMALL BUSINESS CONCERNS THAT ARE NOT SECTION 8(a) PROGRAM PARTICIPANTS TO PROTEST SECTION 8(a) AWARDS.

Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following new paragraph:

“(22) Rules similar to the rules of paragraphs (5) and (6) of subsection (m) shall apply for purposes of this subsection.”.

TITLE VI—OTHER MATTERS

SEC. 601. AFFILIATION FOR CERTAIN FRANCHISES.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following new paragraph:

“(5) SPECIAL RULE RELATING TO FRANCHISES IN THE TEMPORARY EMPLOYEE SERVICES INDUSTRY.—In determining whether a franchisee is affiliated with a franchisor in the temporary employee services industry, the Administrator shall—

“(A) disregard—

“(i) whether the franchisor finances the payroll of the temporary staffing personnel (including billing, collecting, and remitting client fees); and

“(ii) whether the temporary staffing personnel are treated as employees or inde-

pendent contractors of the franchisor for tax or other purposes; and

“(B) consider the processing of payroll and billing by a franchisor as customary and common practice in the temporary employee services industry that does not provide probative weight.”.

The CHAIRMAN. No amendment to the bill is in order except those printed in House Report 110-407. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. VELÁZQUEZ

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-407.

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. VELÁZQUEZ:

At the end of title I, add the following:

SEC. 104. PRIORITY FOR SEVERELY DISABLED VETERANS.

In developing regulations to implement section 101, the Administrator shall give a priority to those certified service-disabled veterans that are severely disabled.

Amend section 201 to read as follows:

SEC. 201. REQUIRING BUSINESS INTEGRITY OF SMALL BUSINESS CONCERNS.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following new subsection:

“(o) REQUIREMENT OF BUSINESS INTEGRITY.—No small business concern may receive any benefit under section 8(a), 8(m), 31(b)(2)(A), 31(b)(2)(B), 36(a), or 36(b) unless the Administrator first performs a background check on the owners and officers of such small business concern and determines that the owners and officers do not lack business integrity. For purposes of such a determination, previous criminal convictions will create a presumption of a lack of business integrity.”.

At the end of title II, add the following (and amend the table of contents accordingly):

SEC. 205. EXPANDING PROTEST AUTHORIZATION.

Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following new paragraphs:

“(22) Rules similar to the rules of paragraphs (5) and (6) of subsection (m) shall apply for purposes of this subsection.

“(23) For the purposes of challenging the eligibility of a small business concern to receive an award under section 8(a), 8(m), 31(b)(2)(A), 31(b)(2)(B), 36(a), or 36(b), the term ‘interested party’ shall include any small business concern.”.

In section 8(m)(4) of the Small Business Act as proposed to be added by section 301, strike subparagraph (B) and insert the following:

“(B) UNDERREPRESENTED INDUSTRIES.—Until such time as the Administrator completes the identification of industries required by subparagraph (A), the following industries, as identified by their 2-Digit North American Industry Classification System Code, are deemed underrepresented by

women in Federal contracting: 11 (Forestry), 21 (Mining), 22 (Utilities), 23 (Construction), 31 (Manufacturing), 32 (Manufacturing), 33 (Manufacturing), 42 (Wholesale Trade), 44 (Retail Trade), 45 (Retail Trade), 48 (Transportation), 49 (Transportation), 51 (Information), 52 (Finance and Insurance), 53 (Real Estate and Rental and Leasing), 54 (Professional, Scientific, and Technical Services), 56 (Administrative and Support, Waste Management, and Remediation Services), 61 (Education Services), 62 (Health Care and Social Assistance), 71 (Arts, Entertainment, and Recreation), 72 (Accommodation and Food Services), and 81 (Other Services)."

Strike sections 403 and 504.

The CHAIRMAN. Pursuant to House Resolution 773, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, this amendment makes changes to the underlying bill to address outstanding issues in the bill. It ensures those veterans that are most severely disabled will have access to contracts. It also strengthens the business integrity standard and creates parameters to carry out the women's procurement program.

Probably the most critical change in this amendment is the priority created for severely disabled veterans. The underlying bill already ensures that service-disabled veterans have greater access to contracts, but this takes it a step further.

It provides that agencies who are carrying out the service-disabled veteran contracting program give special consideration to those returning entrepreneurs that have the most serious of injuries. It is simply the right thing to do for all these soldiers have given for their country.

This amendment also provides taxpayers with greater protection by making certain the SBA performs criminal background checks prior to entering a program. It provides that those with criminal convictions are presumed to lack the business integrity required for participation.

Finally, we worked with the minority to create a more workable standard for allowing the SBA to carry out the women's procurement program. This amendment specifies the industries that the Rand Corporation determined, in accordance with direction from the National Academies of Sciences, were underrepresented by women businesses.

These measures will strengthen the bill to ensure a variety of deserving small businesses have better access to Federal contracts.

I urge adoption of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CHABOT. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the gentlelady's amendment, even though I do not oppose the amendment.

The CHAIRMAN. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. CHABOT. Mr. Chairman, her amendment makes some needed technical changes to the bill. Nevertheless, as I pointed out in my statement previously, we believe that this proposed solution to the failure of the SBA to implement the women's procurement is, in our view, overinclusive and should be further revised as the legislative process moves forward, but we do not oppose the amendment.

Mr. Chairman, I yield back my time.

Ms. VELÁZQUEZ. Mr. Chairman, I just want to thank the gentleman from Ohio for working with me on this amendment. I urge adoption of the amendment, and I yield back my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. AKIN

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-407.

Mr. AKIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. AKIN:

At the end of title V, add the following new section (and amend the table of contents accordingly):

SEC. 505. ASSISTANCE STUDY.

(a) STUDY.—The Administrator of the Small Business Administration shall conduct a study to determine what changes would be required to provide greater Federal contracting assistance to participants in the program created by section 8(a) of the Small Business Act that have less equity in their business concerns than other participants in the program.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report detailing the results of the study described in subsection (a).

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Missouri (Mr. AKIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. AKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer this amendment to the Small Business Contracting Program Improvements Act. As many involved in the Federal contracting world know, the 8(a) program currently serves small businesses owned by citizens who are socially and economically disadvantaged.

Since the 1960s, the 8(a) program has remained the primary vehicle through which minority-owned businesses enter the Federal marketplace. There is no doubt that since its inception the 8(a) has helped many minority-owned businesses grow their firms, enabling them to become real players in the Federal contracting world. In fact, over the

course of the program, nearly 20,000 companies have received almost \$100 billion in Federal contracts.

During committee markup of this bill, I expressed my reservations to Chairwoman VELÁZQUEZ regarding certain provisions in the bill that exclude the equity in a business. I'm concerned that this provision undermines the argument concerning the competitive capacity of the business owners. I will explain.

Many owners reinvest their earnings into their businesses, thus increasing the value of the business. If the 8(a) program is a business development program targeted toward socially and economically disadvantaged firms, why should the business owner with a valuable asset be permitted in the program and benefit from its existence? I would argue that the scarce resources available to assist these business owners be devoted to those business owners that are truly economically disadvantaged.

My amendment is a straightforward amendment that I hope will address some of these concerns. Essentially, the amendment would ask the administrator of the Small Business Administration to conduct a study to determine what changes would be required to provide greater Federal contracting assistance to participants in the 8(a) program that have less equity in their business concerns than other participants in the program.

I appreciate Chairwoman VELÁZQUEZ's willingness to work with me on this important issue, and I believe that adoption of my amendment is one step towards ensuring that minority-owned small businesses who truly need assistance can continue to benefit from the opportunities provided to them by the 8(a) program.

I would urge my colleagues to assist and support this amendment.

In closing, my point on this is the following: As a business is small and most in need of the 8(a) program, we want to make sure that they can get as many of these programs as possible, and that will build their business up. As the business then prospers and grows through the years, they will continue to get these different 8(a) kinds of contracts, which give them essentially a 10 percent advantage.

But as the business becomes bigger and stronger, what I'm interested in doing is creating a sliding scale so that those valuable contracts will be guaranteed to go to the most needy businesses, and as a business gets stronger and stronger, the number or the percentage of those contracts will tend to diminish as they become stronger and more able to survive on their own.

I think that's a concept that has been understood and to some degree approved within the committee. The question is how do we mechanically work that out, and the purpose of this amendment is to give ourselves a little time to actually figure out mathematically how do you make sure that those contracts go to the most needy, and as

people become less needy, that they have less and less dependence on.

I very much appreciate the chairwoman's willingness to work with us on this, and hopefully we can figure out mechanically some way to do that that everybody could agree to.

Mr. Chairman, I yield back my time.

Ms. VELAZQUEZ. Mr. Chairman, while not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELAZQUEZ. Mr. Chairman, I would like to thank my colleague from Missouri, a member of the Small Business Committee, for offering this amendment. I share the gentleman's concern about the concentration of contracts in the 8(a) program.

In fact, these businesses are only in the program for 9 years, so it is important that they make that time count. Unfortunately, according to partial year data for 2006, the top 10 companies received 40 percent of the work; 93 percent of companies received no contracts.

The gentleman's amendment requires the SBA to conduct a study to determine how best to provide additional contracting help to these less successful 8(a) participants. I appreciate his interest in the 8(a) program and his willingness to work with us to find a solution to a long-standing program.

I agree with my colleague that, while a more successful firm is apt to receive more work than a less experienced company, the purpose of the program is business development. Given this, the SBA needs to provide increased contractual assistance to the companies that need it the most.

The gentleman's amendment would allow us additional time to work together to craft a solution to ensure that 8(a) businesses, regardless of their financial strength, will be able to earn contracts. I look forward to working with the gentleman to perfect this language, and I appreciate his cooperation.

We are prepared to accept this amendment, and I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. I thank the gentlelady for yielding. We agree with the comments both in the gentleman's points he made in his presentation as well as the gentlelady's, and we support the amendment as well.

Ms. VELAZQUEZ. Mr. Chairman, I urge support of this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. AKIN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. WELCH OF VERMONT

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-407.

Mr. WELCH of Vermont. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. WELCH of Vermont:

Title IV, add at the end the following (and amend the table of contents accordingly):

SEC. —. STUDY ON EFFECTIVENESS OF HUBZONE PROGRAM IN REACHING RURAL AREAS.

The Administrator of the Small Business Administration shall carry out a study on the effectiveness of the HUBZone program in reaching rural areas to determine whether there are needy areas that do not qualify under the program and whether there are areas that currently qualify under the program that are inconsistent with the program's original intent. Not later than 6 months after the date of the enactment of this Act, the Administrator shall submit to Congress a report containing the results of the study and any recommendations that the Administrator considers appropriate for alternative ways to evaluate eligibility for HUBZones in rural areas.

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH of Vermont. Mr. Chairman, I yield myself such time as I may consume.

First, let me thank Chairwoman VELAZQUEZ and her staff and Mr. CHABOT and the work that he has done, not just helping me on this amendment but the extraordinary productivity of the Small Business Committee. It has been an oasis of bipartisan cooperation and accomplishment in this legislative session.

I'd also like to thank the cosponsor of this amendment, my colleague from Iowa, Congressman BRUCE BRALEY, a member of the Small Business Committee.

We've heard about the HUBZone program, that it provides assistance to small businesses located in historically underutilized business zones, or HUBZones, through limited competition contracts, sole source awards, or price evaluation preferences in full and open competitions. The Federal Governmentwide contracting goal for HUBZone small businesses is, as you know, Mr. Chairman, 3 percent. It's a very effective program.

Across the country, more than 11,000 firms operate and employ people in distressed areas; 56 of these are located in Vermont. Eligible areas cover more than 7,000 urban census tracts, 900 rural and suburban areas.

Historically, the HUBZone program has encountered some difficulties in rural areas, specifically in the way the program is defined. The current definition limits what SBA can do in looking at large areas versus small, and it makes it tough on rural States, like Vermont and many other rural parts of the Nation.

In Vermont, for example, the entire Northeast Kingdom is a HUBZone, as

well as all of Lamoille County. Other than that, only part of Burlington, Rutland and St. Albans are in the program, and this has left out some obviously what would appear to be eligible communities in towns like Springfield, Brattleboro, Bennington, Barre, Bellows Falls, and other parts of Rutland City.

Small businesses critical in Vermont, just like everywhere else, create two out of every three new jobs, produce 39 percent of the gross national product, and is responsible for more than half of the Nation's technological innovation.

My amendment with Mr. BRALEY is very simple. It would direct the SBA to conduct a study on how the HUBZone program is working to reach rural areas. The study should examine how HUBZone is defined, whether that definition works in rural areas as well as it does in urban and suburban areas. It makes specific recommendations of possible alternatives to better capture eligible or needy communities that so often exist in rural areas. Not only does it call on the administration to review whether needy communities are being left out, it also assesses whether areas within the program comply with the program's original intent.

Mr. BRALEY and I urge our colleagues to support this amendment.

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Mr. Chairman, I yield back the balance of my time.

Ms. VELAZQUEZ. Mr. Chairman, while I am not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELAZQUEZ. Mr. Chairman, it is becoming increasingly concerning that companies may be receiving HUBZone contracting preferences inappropriately.

Since 2003, the SBA Inspector General has released two reports identifying the potential for contracting fraud in this program. Most recently, in 2006, the IG has found that more than 80 percent of companies are not eligible 3 years after they were approved. In nearly 20 States, we have identified multimillion dollar properties in areas designated as HUBZone. If a company located in one of these zones employed people who lived in similar conditions, they would be eligible for contracting preferences over small businesses.

The gentleman's amendment addresses the issue that some areas of the country are designated HUBZone. That should not be. At the same time, this will also require the SBA to examine why some deserving areas are not being designated appropriately. To resolve this inconsistency, the amendment requires the SBA to carry out a study that includes recommendations for alternative ways to evaluate HUBZone eligibility.

There is no rational reason why some of the most affluent areas in the country are eligible for government contracting preferences, while truly deserving areas are overlooked.

We are prepared to accept this amendment, and I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. I thank the gentlelady for yielding.

Mr. Chairman, we have no opposition to this amendment. We would thank Mr. WELCH of Vermont for his hard work on this and his leadership on the committee.

Ms. VELÁZQUEZ. Mr. Chairman, I urge support of this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MICA

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-407.

Mr. MICA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MICA:

Add at the end of title VI the following (and amend the table of contents accordingly):

SEC. ____ . CLARIFICATION OF APPLICABILITY OF SMALL BUSINESS SET-ASIDES.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following:

“(q) **CLARIFICATION OF APPLICABILITY.**—For purposes of any small business set-asides authorized under this section, the term ‘contract’ shall not exclude any acquisition or order under any Federal Supply Schedule or Multiple Award Schedule.”.

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman and my colleagues, I have this amendment No. 4 which would clarify the small business set-aside provisions of the Small Business Act and require that it, in fact, apply to Federal contracts not excluding Federal supply schedule and multiple award scheduled holders.

Now, this is a mandatory provision, and I have accepted some of the objections from my side of the aisle in not moving forward with this particular provision. I do have the next amendment in line, which does deal with a similar issue, and I would like to ask unanimous consent to withdraw the amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Ms. VELÁZQUEZ. Mr. Chairman, I reserve the right to object.

I am surprised that the gentleman is withdrawing his amendment since I was prepared to accept the amendment.

I think this is a problem that needs to be addressed. I am willing to work with the gentleman to address this issue.

Mr. MICA. If I may, if the gentlelady would yield, I look forward to working with you. I am delighted that your side of the aisle was willing to accept this amendment. I would like to work and move forward with you in a bipartisan effort.

But in order to get one of the two amendments to work with my side of the aisle in fairness and not pass a mandatory provision, I am prepared to withdraw the amendment and work with the gentlelady and the committee and thank everyone for their consideration.

Ms. VELÁZQUEZ. Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. MICA

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-407.

Mr. MICA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. MICA:

At the end of title VI, add the following (and amend the table of contents accordingly):

SEC. ____ . SENSE OF THE HOUSE OF REPRESENTATIVES ON ACQUISITIONS CONDUCTED UNDER THE GENERAL SERVICES ADMINISTRATION'S FEDERAL SUPPLY SCHEDULE.

(a) **FINDINGS.**—Congress finds the following:

(1) The Small Business Act was adopted by Congress to ensure that small business concerns receive fair access to, and a fair share of, Federal government contracts and subcontracts.

(2) There is a disagreement between the General Services Administration and the Small Business Administration on whether the Small Business Act applies to the acquisitions under the General Services Administration's Federal Supply Schedule, which account for over \$30,000,000,000 in procurement dollars awarded each year.

(3) As demonstrated in proceedings of the White House Acquisition Advisory Panel, small businesses hold 79.6 percent of contracts under the Federal Supply Schedule, but receive only 37.1 percent of dollars awarded under the Federal Supply Schedule, and this disparity has a significant impact on the competitive viability of small business concerns in government contracting.

(b) **SENSE OF THE HOUSE.**—Therefore, it is the sense of the House of Representatives that small business set-asides should not be excluded from any acquisitions under the General Services Administration's Federal Supply Schedule.

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman and Members of the House, Mr. CHABOT and the Chair of the Small Business Committee, I am pleased to present another

amendment, as I indicated in withdrawing the first amendment, that is not mandatory in nature, but does bring to light and address some of the problems that we have had with an interpretation of acquisitions under the GSA Federal supply schedule, some different interpretation.

This amendment would state that it is, in fact, a sense of the House of Representatives that small business set-asides should not be excluded from any acquisitions under the General Services Administration Federal supply schedule.

Let me explain, if I may, for just a moment here. The Small Business Act was adopted by Congress to, in fact, ensure that small businesses would receive fair access and a fair share of Federal Government contracts and subcontracts. In fact, section 15 of the act requires that all contracts below \$100,000 be reserved for small businesses.

But, unfortunately, there are some questions that have been raised. The Small Business Act also requires set-aside opportunities for service-disabled veterans, for businesses in distress, and companies owned by women and disadvantaged persons. However, again, here is where some of the problem lies. There is a disagreement between GSA, the General Services Administration, and SBA on whether the small business set-aside applies to acquisitions under the Federal GSA Federal supply schedule.

Because of this GSA-SBA disagreement on provisions of the Small Business Act, some small businesses, in fact, are being excluded from GSA contracting opportunities; and that's not our intent.

What's taken place on September 4, 2007, just a short time ago, SBA issued an opinion that Small Business Act set-aside requirements do apply to the GSA schedule. My amendment today would only state that it is a sense of the House of Representatives that the small business set-aside should not be excluded from any acquisition under GSA's Federal supply schedule.

We tried to send a polite message. Part of my reason for being here is one of the small business persons in my district, Raul Espinosa, he is a St. Augustine small business owner, his company is a small business, again, in the heart of my district. He has a company called Fit Net Purchasing Alliance and Fit Net, is, in fact, a disadvantaged minority and emerging small business. They operate as a buying group specializing but not limited to athletic, wellness and rehab market segments.

This small business operator brought this to my attention, and it is a great example of how this system should work. When the agencies don't work, when you have lack of understanding and definition and law, or in procedures, it's small businesses and someone like Raul Espinosa who has brought to my attention, as his elected representative, some of the problems that have arisen.

This is a clarification amendment. We may want to go beyond this, as the chairlady has indicated her willingness to do, and possibly from my side of the aisle I think we can work together and make this work the way it's intended.

Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, while not opposed to the amendment, I ask unanimous consent to claim time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELÁZQUEZ. The gentleman's amendment reflects a sense of the House that laws requiring competition among only small businesses should apply to the General Services Administration's Federal supply schedules.

The GSA consistently points to nearly 80 percent of contracts under schedules going to small businesses. The reality is that as far as dollars, small firms get less than 40 percent. With the exception of the GSA schedules, every agency must ensure that small businesses are the priority for contracts valued at more than \$2,500 and less than \$100,000. Even when the GSA enters into a contract itself, not using the schedules, the SBA statute applies.

Recently, the GSA's general counsel has pointed to a conflict between the statute that authorizes the Federal supply schedules and the SBA statute. Because Congress has not spoken to the contradiction, GSA relies on its own interpretation.

GSA schedules represent billions of dollars in contracting opportunities that simply aren't available to small firms because of the GSA's incorrect interpretation of the statute. The gentleman's amendment will provide a direction that is missing between these conflicting statutes, an issue to be supported. Not only will small businesses see increased dollars as a result; taxpayers will receive lower costs due to the flexibility and efficiency that small firms are able to offer.

Mr. Chairman, I am prepared to accept this amendment, and I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. I thank the gentlelady for yielding.

Mr. Chairman, we have no opposition to this amendment. We would thank the gentleman for his hard work in offering the amendment.

Ms. VELÁZQUEZ. I urge support for this amendment and I yield back the balance of my time.

Mr. MICA. How much time do I have remaining, might I inquire.

The CHAIRMAN. The gentleman from Florida has 1 minute remaining.

Mr. MICA. Mr. Chairman, I won't take all of that minute, but I do again want to thank again the gentlelady, the Chair of the SBA Committee, and Mr. CHABOT, the ranking member.

This is a great example of how government should work, having a con-

stituent, a small business person in my district, bring unfairness, the lack of definition about procedures here with the SBA and GSA, two government agencies, and try to get a resolution.

I am delighted to be here. I am trying to think back in 15 years if I have ever brought an amendment up and have everybody agree on it like this. I don't think so, but it's a special occasion.

Mr. CHABOT. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from Ohio.

Mr. CHABOT. I was just going to say, that is the way this committee works, right, Madam Chair?

Ms. VELÁZQUEZ. Yes.

Mr. MICA. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. MORAN OF VIRGINIA

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110-407.

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. MORAN of Virginia:

Title VI, add at the end the following (and amend the table of contents accordingly):

SEC. __. STUDY ON FRIVOLOUS PROTESTS.

(a) STUDY.—The Administrator of the Small Business Administration shall conduct a study to determine, with respect to small business contracts, whether incumbent Federal contractors submit frivolous protests to extend the length of current contracts before protest decisions are resolved.

(b) CONTENTS.—In conducting the study, the Administrator shall—

(1) determine the number of Government Accountability Office bid protests and Small Business Administration size protests filed by incumbent Federal contractors with respect to small business contracts, the number of incumbent contracts extended because of the protest, the extra costs of extending incumbent contracts during the protest, and the final rulings of these protests;

(2) determine the financial impact of protests filed by incumbent Federal contractors on small businesses that were originally awarded the protested small business contracts, including costs associated with defending the protests and costs incurred by Federal agencies;

(3) identify the incumbent Federal contractors that file the most unsuccessful protests on small business contracts; and

(4) develop recommendations—

(A) to ease any financial burden on small businesses during the protest of small business contracts; and

(B) to discourage frivolous protests by incumbent Federal contractors on small business contracts.

(c) CONSULTATION.—In conducting the study, the Administrator shall consult with the Government Accountability Office, any necessary Federal agencies, and the Office of Federal Procurement Policy.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the

Administrator shall submit to Congress a report on the results of the study, together with the recommendations developed under subsection (b)(4).

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Virginia (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first want to thank the chairwoman of the Small Business Committee for her leadership in bringing this bill to the floor today. I appreciate the membership on both sides of the committee for finding an agreement on so many issues that are important to small businesses.

They know that small businesses must overcome long odds and difficult obstacles in navigating the waters of Federal contracting. Size thresholds, growth requirements, endless paperwork and late contracts payments are all part of the challenges that competing small businesses regularly face.

Yet there is another challenge that has been brought to my attention. Some small businesses, after being awarded a competitively bid contract, must face frivolous protests by the incumbent contractors just for the purposes of delaying the award of a contract. For an incumbent contractor, there is an economic incentive to protest an award, even if there is no substance to the challenge. The award to the small business is thus delayed, and the current contract is retained until the protest is concluded. It can take months or even years before the dispute is resolved by the government.

In the meantime, the incumbent contractor can reap millions more for the extended contract that they had been granted previously but lost out on. These protests have serious consequences for many small businesses. During protests, the small businesses must cover their legal costs. Moreover, they must cover payroll and administrative costs for the workforce that they hired for the awarding contract. That's before they ever get paid by the Federal Government. These costs can cripple some small businesses that run on tight budgets without built-in overhead for the costly protests.

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In other words, it's an uneven playing field.

This amendment will require the Small Business Administration to study the degree to which incumbent contractors are submitting frivolous protests to extend the length of current contracts. It's a problem I know exists because many of my constituent companies have, in fact, experienced it firsthand.

The Small Business Administration's study will determine the number and the merit of GAO and SBA protests that are filed by incumbent contractors and analyze the number of extended contracts. It'll analyze the

extra costs of extending contracts, including the costs to small businesses that won the initial award of those contracts, and the costs incurred by Federal agencies as a result.

Finally, it will develop recommendations to ease the financial burden on small businesses during protests and offer recommendations to discourage frivolous protests made to squeeze small businesses.

It's clear that not all incumbent contractors submit frivolous bids. But it's also equally clear that there are some built-in incentives for incumbents to submit protests that they know have little merit but, nevertheless, will enable them to profit by the delay.

Mr. Chairman, I ask for support of this amendment so that small businesses can cope with frivolous incumbents' protests, and I look forward to working with the Small Business Committee on this ongoing issue of fairness.

I will retain whatever time is left.

Ms. VELÁZQUEZ. Mr. Chairman, while not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, I would like to thank the gentleman for offering this amendment.

Certainly, frivolous litigation is a problem in any scenario. Our justice system is a valuable tool for the good-faith settling of claims, but it is costly and time consuming, and should never be used for purposes other than what was originally intended. If incumbent contractors are, in fact, using the bid process size protest mechanisms to extend the length of contracts, this problem needs to be addressed.

Small businesses face enough barriers in their efforts to enter the Federal marketplace. Having to fight frivolous lawsuits should not be one of them. If businesses, particularly mega-contractors, are using their position to prevent qualified contractors from doing Federal work by exploiting a loophole, the American taxpayer loses out.

The gentleman's amendment addresses this issue by requiring a study to determine the number of relevant protests, the financial impact on small businesses, and recommendations for solving any problems discovered.

The protest process was designed to create due process, not to create unfair advantages. This study will help to determine if there is a problem that needs to be further addressed.

I appreciate the gentleman bringing attention to this small business barrier, and although frivolous lawsuits can be devastating for anyone in the business community, it can be a particular burden for smaller companies. Adding litigation costs to an already limited cash flow is unrealistic for many small businesses, and I will be in-

terested to see if this is what they're being forced to do.

It would allow our committee to fully understand if further changes are needed.

We are prepared to accept this amendment, Mr. Chairman, and I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. Thank you, Madam Chairwoman.

We do not oppose this amendment. We would thank the gentleman and his staff for their hard work and the research in considering this and offering the amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I urge support of this amendment, and I yield back.

Mr. MORAN of Virginia. I am prepared to yield back the balance of my time. I do want to thank Heath Bumgardner of my staff for doing the work on this. And I've enjoyed working with the Small Business Committee and their staff on both sides of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. BAIRD

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110-407.

Mr. BAIRD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BAIRD:

At the end of title V, insert the following new section (and amend the table of contents accordingly):

SEC. 505. EXAMINATION OF LIST OF GROUPS THE MEMBERS OF WHICH ARE PRESUMED TO BE SOCIALLY DISADVANTAGED FOR PURPOSES OF SMALL DISADVANTAGED BUSINESS PROGRAM.

The Administrator of the Small Business Administration shall examine the list of groups the members of which are presumed to be socially disadvantaged for purposes of the Small Disadvantaged Business program under section 8(a) of the Small Business Act and shall consider whether the list should be updated to include additional groups. Not later than 6 months after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the results of the examination.

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Washington (Mr. BAIRD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. BAIRD. I thank the chairwoman for the time and applaud her for her leadership of the Small Business Committee. I also want to thank the ranking member for his leadership as well.

I rise today with an amendment to improve and update the Small Business Administration's Small Disadvantaged Business Program.

My amendment would direct the administrator of the Small Business Ad-

ministration to examine the list of groups under the Disadvantaged Business Program and consider whether it should be updated to include additional groups. This amendment does not mandate that any group be added and would not affect those well-deserving groups already included.

Let me explain why I believe this issue deserves our attention. The issue was brought to my attention by an Afghani American entrepreneur in my own district who is not eligible to receive SBA assistance under the Small Business Development Program. After researching the matter, I learned that the SBA does not include Afghani or Iraqi Americans in the Small Disadvantaged Business Program.

I found this troubling, frankly. As we seek to spread democracy to other nations around the world, we ought to consider how we are helping or not helping individuals from those countries who have come to the United States. For example, at a time when we are promoting the American Dream in Afghanistan, I believe we should be doing more to promote this dream to those of Afghani descent who have come to the United States to seek a better way of life. The same applies to the refugees who've helped our Nation in its Iraq mission but have been forced to flee their own lands for having given us that very assistance.

I hope we would all agree that as we work to spread democracy and freedom to other nations, we should consider how we're treating individuals from those countries who have come to the United States. Should my amendment be accepted, I hope that the administrator will pay special attention to those countries to which our Armed Forces have been deployed since September 11.

Some may be surprised to learn that the SBA has not updated their list of groups since 1989. I believe it's a good time now to revisit this list and to ensure that this program is not excluding any group who deserve assistance.

I would ask my colleagues to join me in supporting this commonsense amendment. I would ask for your support.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, while not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, the gentleman's amendment requires the SBA to review who should be considered socially disadvantaged for entry into the 8(a) program and whether there should be any updates.

Prior to today, the last Congressional action on the 8(a) program took place in 1988. For nearly 20 years, the 8(a) program has not seen one significant change. One aspect of the program, social disadvantage, has also remained unchanged.

My colleague's amendment recognizes that our country in 2007 does not look like it did in 1988. The face of America is changing. The 8(a) program must reflect the new look of the Nation.

This amendment addresses the concern that in several years the SBA has not reviewed or expanded who is considered socially disadvantaged. Given this, deserving business owners are likely being shut out.

We also know, as members of the committee, that without definite direction the SBA is unlikely to act, let alone in a timely fashion. The gentleman's amendment will ensure that the SBA examines the issue and makes changes, as appropriate, within 6 months.

We are prepared, Mr. Chairman, to accept this amendment, and I will yield to Mr. CHABOT for any comments that he might have.

Mr. CHABOT. I thank the gentlelady for yielding, and I thank the gentleman for offering his amendment. He has been willing to, I think, stand up and make courageous stands on occasion. I think he is to be commended for that.

Relative to this particular amendment, as I stated in my opening statement, I have some concerns of the bill in general because of the segmenting of various groups and sometimes pitting one against another and being competitive with each other, and so I can't say that I honestly would be in favor of a number of additional groups again further segmenting this.

But this just calls for a study and doesn't implement any particular groups or propose any additional new groups. So, for that reason, I would not oppose the amendment, and I want to thank him for his thoughtful consideration of this.

Ms. VELÁZQUEZ. Mr. Chairman, I urge the adoption of this amendment, and I yield back the balance of my time.

Mr. BAIRD. I thank the gentlelady, the Chair, and the ranking member for their support of this. Point well taken. This does call for a study. I think there are a number of groups under criteria that establish this program, merit discussion and examination, and particularly those who have come to our aid overseas. I'm familiar with some really heart-wrenching stories of folks who have been extraordinarily helpful to our country and face great personal hardship in Iraq and in Afghanistan. If we can help them rebuild their lives over here if they're forced to flee their country, that would be a meritorious deed.

But again, this is just calling for a study and, therefore, I urge its passage. I am grateful for the support.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. BAIRD).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110-407.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. GINNY BROWN-WAITE of Florida:

At the end of title VI, add the following new section (and amend the table of contents accordingly):

SEC. 602. SMALL BUSINESS ADMINISTRATION LIAISON.

(a) ESTABLISHMENT.—The Administrator of the Small Business Administration shall create a liaison position whose duty it is to ensure that section 2(i) of the Small Business Act is carried out.

(b) FUNCTIONS.—In carrying out the duty described in subsection (a), the liaison shall consult with the Assistant Secretary of the Department of Homeland Security for United States Immigration and Customs Enforcement.

The CHAIRMAN. Pursuant to House Resolution 773, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chair, section 2(i) of the Small Business Act states that only those lawfully in the United States shall receive funds under the Act.

My amendment establishes a Small Business Liaison to ensure that section will be followed. That's what the amendment does. It mirrors language contained in my bill, H.R. 3496, which requires the liaison to work in tandem with the Department of Homeland Security and the U.S. Immigration and Customs Enforcement group.

Listen up, America. We are the land of opportunity, and small business owners make up the backbone of our economy. However, Congress cannot continue to encourage and foster small businesses in our Nation, if we are not making those here legally an actual priority.

This simple amendment will ensure that small business loans and grants are going to those who follow the immigration rules that we have in place. Therefore, I urge the Members of this body to support this amendment.

And I certainly want to thank the gentlelady from my former home State of New York for working with us on this amendment.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, while not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, the amendment offered by Ms. GINNY

BROWN-WAITE seeks to ensure that taxpayer dollars go to small businesses that are complying with our immigration laws and not benefiting those that are breaking these laws.

While currently the Small Business Administration's Act prohibits the use of funds to benefit or assist individuals that are not lawfully within the United States, this change would allow for greater accountability. Creating a liaison between the Small Business Administration and the Department of Homeland Security on this matter will increase oversight and ensure that the agency's budget is being spent lawfully, efficiently and responsibly.

I also am grateful to have an ally in fighting this administration's efforts to reduce resources at the Small Business Administration. The fact is that the Small Business Administration needs personnel in carrying out this provision, as well as other critical operations.

We share the goal of ensuring that no funds expended under the Small Business Contracting Programs Improvement Act are used in such a manner. Sometimes having a law on the books isn't enough, and this amendment will go a step further in making sure that someone is there at the SBA actively enforcing this important spending provision.

We are prepared to accept this amendment, Mr. Chairman, and now I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. I thank the gentlelady for yielding. And I want to compliment and thank the gentlelady from Florida for offering this important amendment. I think it certainly is a good addition to the bill.

I think it's clear that most Americans would only want those that are in this country legally to benefit from these types of taxpayer-funded programs. So it's a very good amendment, and I want to thank you for offering it, and we certainly will support it.

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Ms. VELÁZQUEZ. Mr. Chairman, I yield back the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I certainly want to thank the chairwoman for her cooperation on this. I think the key word, the operative word, here is obviously "accountability." And I think this amendment will help to improve an already good bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MRS. GILLIBRAND

The CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 110-407.

Mrs. GILLIBRAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mrs. GILLIBRAND:

At the end of title II, add the following (and amend the table of contents accordingly):

SEC. ____ . PROHIBITION ON CONTRACT AWARDS TO CONTRACTORS IN VIOLATION OF IMMIGRATION LAWS.

Any employer found, based on a determination by the Secretary of Homeland Security or the Attorney General to have engaged in a pattern or practice of hiring, recruiting or referring for a fee, for employment in the United States an alien knowing the person is an unauthorized alien shall be subject to debarment from the receipt of future Federal contracts under this Act.

The CHAIRMAN. Pursuant to House Resolution 773, the gentlewoman from New York (Mrs. GILLIBRAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. GILLIBRAND. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to thank my fellow New York colleague, Chairwoman VELÁZQUEZ, for her leadership on this bill and for her constant effort to help our small businesses grow and prosper in America.

Small businesses are the foundation of upstate New York's economy. Small businesses represent over 99 percent of all employers and half of all private sector employees. More importantly, small businesses generate up to 80 percent of new jobs in America.

The bill that is on the floor today would allow upstate New York's small businesses to have increased opportunities to compete for Federal contracts against larger companies. Last year small businesses received only 21.5 percent of Federal contracts, which is much too small; and I look forward to this bill's passing on the floor that will allow our small businesses, especially disabled veteran-owned businesses, to compete for Federal contracts.

My amendment to this bill is very simple: businesses that continue to break the law by hiring illegal aliens should not be eligible for Federal contracts.

Mr. Chairman, we must reward businesses that play by the rules and punish those who do not. It is important that we fix our broken immigration system, and an important component of that is to cut off availability of jobs for undocumented workers, which can only be done when employers refuse to hire them. There are an estimated 12 million illegal aliens in this country; and if jobs are not available to them, then there will not be an incentive for them to come or remain here in America illegally. Hiring illegal aliens is against the law in America, and my amendment ensures that employers who knowingly hire illegal aliens cannot have access to the over \$400 billion

in Federal contracts that are awarded each year. This amendment will ensure accountability with taxpayers' money by preventing businesses who hire illegal aliens from receiving Federal contracts.

I urge my colleagues to vote "yes."

Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, while I am not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, I want to thank my colleague from New York for her amendment to ensure that Federal contractors are complying with the immigration laws of our Nation. I would like to ensure that the interpretation of the debarment provisions referenced in the gentlewoman's amendment are consistent with the debarment process as provided in the Federal Acquisition Regulation.

Mr. Chairman, small businesses face many obstacles in securing a workforce, and one of them is ensuring that their employees have the proper legal status. All of our employers are expected to comply with our immigration laws, and they should not be forced to compete in the Federal marketplace with those who are skirting these laws. Small businesses should be rewarded for ensuring that their employees are here legally.

My colleague's amendment ensures that no contractor who has a pattern of knowingly employing unauthorized workers will receive contracts under the Small Business Contracting Program Improvements Act. Furthermore, contractors found to be in violation of the employment provisions required under immigration law will face the possibility of debarment.

Participation in SBA's procurement programs is a privilege and not a right. As such, we expect participants to uphold the law. Those businesses that choose not to comply should not receive the benefits of SBA contract assistance.

I appreciate the gentlewoman's attention to this issue and commitment to ensuring that contractors who choose to violate immigration law will not benefit from it. While there may be disagreement on reforming our immigration system, we all agree that employers must comply with those laws that are on the books. This is simply a matter of fairness.

We are prepared to accept the amendment, and I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. I thank the gentlewoman for yielding.

I strongly support the gentlewoman from New York's amendment. I think it certainly improves the bill. It's just clear, I think, many, many Members on both sides of the aisle want to make clear that we don't think that taxpayer

dollars ought to be going for illegal immigrants. And companies that are knowingly hiring people who are here illegally should not be able to benefit from any Federal dollars. And I think the gentlewoman by offering this amendment has improved the bill, and I want to thank her for offering this.

Ms. VELÁZQUEZ. Mr. Chairman, I urge support of this amendment, and I yield back the balance of my time.

Mrs. GILLIBRAND. I thank the gentleman and I thank Madam Chairman. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. GILLIBRAND).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. LAMPSON

The CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 110-407.

Mr. LAMPSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. LAMPSON:

At the end of title VI, add the following:

SEC. ____ . PROHIBITION ON BUSINESS-CLASS OR FIRST-CLASS AIRLINE TRAVEL.

In carrying out the provisions of the Small Business Contracting Program Improvements Act, the Small Business Administrator or any employee may not purchase business-class or first-class airline travel in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

The CHAIRMAN. Pursuant to House Resolution 773, the gentleman from Texas (Mr. LAMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. LAMPSON. Mr. Chairman, I certainly appreciate the work that the chairwoman of the Small Business Committee and the sponsor of the Small Business Contracting Program Improvements Act and the rest of the committee are doing on behalf of small businesses, the lifeblood of America.

As we consider the Small Business Contracting Program Improvements Act, we must be mindful of how wasteful government spending impacts hard-working American families. Citizens expect Congress to be good stewards of taxpayer dollars; and when we allow irresponsible fiscal practices to continue in our government, then we set a bad example for our Nation and create a reckless blueprint for future spending.

So that's why I have introduced this amendment today. My amendment will clarify guidelines for premium travel by Small Business Administration employees when carrying out provisions of this act. A recent report by the GAO demonstrates that agencies are failing to follow Federal guidelines. This amendment will codify these regulations in order to curb wasteful spending by Federal agencies. Ending reckless spending is essential to regaining

the trust of American citizens and restoring fiscal responsibility.

This amendment also offers a direct method of guidance by referencing the sections of the Code of Federal Regulations related to premium travel for Federal employees. A similar amendment applying to the Department of Commerce employees passed earlier this year as a part of the Commerce-Justice-Science appropriations bill.

So as we continue to tackle large instances of government waste and abuse, let's not overlook smaller steps that we can take. I encourage support for this simple way to save taxpayer dollars and to reinstate fiscal responsibility and good government practices.

Mr. Chairman, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, while I am not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Without objection, the gentlewoman from New York is recognized for 5 minutes.

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, I want to thank my colleague from Texas for his amendment.

Fiscal responsibility is a serious issue, and so is running an effective government. As we are currently operating with a budget deficit, we must do all we can to eradicate wasteful spending. Many times we focus on larger issues of waste and abuse and forget about the smaller problems that would be easier to solve. When we cut costs, even just a little, it can add up to big savings.

The SBA has consistently been asked to do more with less. Placing these restrictions on SBA funds will reduce unnecessary spending, giving the agency more money to use to truly assist small businesses. An agency already operating with less than its ideal budget should not be spending crucial funds on premium travel.

I appreciate the gentleman's attention to this issue and his effort to increase accountability in our government and require responsible spending decisions.

Mr. Chairman, I am prepared to accept this amendment, and I will yield to Mr. CHABOT for any comments he may have.

Mr. CHABOT. I thank the gentlewoman for yielding.

We do not oppose this amendment. I'm more used to dealing with the gentleman from Texas on some other issues, particularly his commitment as chairman of the Missing and Exploited Children's Caucus, and so many other issues. We have worked together on a whole range of issues attempting to protect children in this country. I want to thank him for his leadership in that area, and I also thank him for offering this amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I urge support of this amendment, and I yield back the balance of my time.

Mr. LAMPSON. Mr. Chairman, I certainly appreciate the kind words of the

ranking member on the Small Business Committee. Certainly, he too is a leader in the area of child exploitation.

As one of the cochairs of the Congressional Caucus on Missing and Exploited Children, you do great work. We appreciate all the attention.

And I particularly appreciate the gentlewoman from New York for allowing me to introduce this amendment and for the support that she has given to us on it.

I urge support of the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. LAMPSON).

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SALAZAR) having assumed the chair, Mr. HOLDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3867) to update and expand the procurement programs of the Small Business Administration, and for other purposes, pursuant to House Resolution 773, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CHABOT. Yes, I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CHABOT moves to recommit the bill H.R. 3867 to the Committee on Small Business with instructions to report the same back to the House forthwith with the following amendment:

Strike section 101(b).

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. BARTLETT from Maryland was previously going to offer the motion to recommit. He's not here; so I am going to offer it in his place, and I will be very brief.

This motion to recommit is really very simple. It reinstates the require-

ment that requires the government to set aside for competition contracts for small businesses located in HUBZones. As already noted, there is no reason to punish HUBZone firms by eliminating a mandatory competition requirement.

□ 1330

This motion will ensure that HUBZone firms will be able to carry out their purpose to redevelop low-income areas.

I also would just like to reiterate something that I said earlier when we were dealing with the overall bill in general, and that is that I want to again compliment the gentlelady from New York, Chairwoman VELÁZQUEZ, for reaching out to the minority, as she has in the past, in trying to work together. There were just philosophical differences which could not be overcome on this bill. But the committee has worked very well together in a bipartisan manner, and I want to thank her for that cooperation.

It is my intention to continue to work together on bills in the future because we have supported most of the bills that come out of the Small Business Committee, and I think that's good for small business in this country because that's something that we do have in common, and that is, that we believe to our core that future job growth in this country is dependent upon the vitality of small businesses. And small businesses in this country have a lot of things that they have to deal with: high health insurance rates for their employees, energy costs that have been going through the roof, a tax structure which is, at this point, unclear as to where it's going to be in the future. That's why many of us on this side of the aisle believe to our core that we need to make those tax cuts that were passed back in 2001 and in 2003 permanent. We ought to allow small businesses to know what their taxes are going to be like next year and the year after and the year after so that they can depend upon that tax structure to grow their business and to make investments so that they can create jobs. Because ultimately, that's what it's all about, to keep the economy thriving so that we can create more and more jobs for people in this country. And keeping taxes low is probably the best thing that we can do to allow the small business community in this country to grow and prosper.

So again, I want to thank the members of the committee, the staff, and the gentlewoman for her cooperation and reiterate that, although a good-faith effort was made, we do support this motion to recommit and we do oppose and would urge my colleagues to oppose the overall bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Is the gentlewoman from New York opposed to the motion?

Ms. VELÁZQUEZ. I am.

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, this is simple. This motion to recommit will take away contracts from veterans with service disabilities.

At this time, I would like to submit for the RECORD a letter from the American Legion that clearly states, "We steadfastly oppose any amendments to alter the legislation's provisions that assist veteran-owned businesses in section 101."

THE AMERICAN LEGION,
Washington, DC, October 17, 2007.

Hon. NYDIA M. VELÁZQUEZ,
Chairwoman, House Committee on Small Business,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRWOMAN VELÁZQUEZ: On behalf of the 2.7 million members of The American Legion I am writing to strongly endorse the Small Business Contracting Program Improvements Act, which is scheduled for markup in the Committee on Small Business as early as this week. Further, we steadfastly oppose any amendments to alter the legislation's provisions that assist veteran-owned businesses in section 101.

Recently, the entrepreneurial needs of America's veterans have been brought to the forefront, particularly those that have sustained a disability as a result of their active-duty service in the armed forces. With nearly a quarter of newly discharged veterans considering starting their own businesses, the importance of opening the federal marketplace to veterans, who are entrepreneurs, has never before been so important.

Unfortunately, there has been no appreciable progress toward meeting the three percent service-connected disabled veterans' government-wide contracting goal. Federal agencies have fallen well short, accomplishing levels of only 0.2 percent in 2003; 0.4 percent in 2004; 0.6 percent in 2005; and 0.9 percent in 2006. As a result, Congress must take stronger action.

We are pleased that the Small Business Contracting Program Improvements Act takes the clear and compelling action necessary to ensure that veterans receive their fair share of federal contracting opportunities. This legislation will result in increases to contracts awarded to veteran-owned companies. As the veterans' community continues to grow, the time is now to enact this important initiative.

We thank you, Chairwoman Velázquez, for introducing this legislation and we applaud the Committee for moving this measure in an expeditious manner. The American Legion looks forward to working with the Committee on this and future legislation to assist this country's small businesses.

Sincerely,

JAMES E. KOUTZ,

Chairman, National Economic Commission.

The ranking member knows that this amendment was introduced in the committee's markup and it was defeated 16-8.

Further, let me say that the underlying bill ensures that service-disabled veterans are given a preference in seeking Federal contracts. These individuals have consistently been shut out of the Federal contracts. Despite a 3 percent service-disabled veteran contracting goal since 1999, the highest accomplishment is less than 1 percent. These men and women have served our country, and they deserve better.

If the motion to recommit is adopted, and I want to make this clear, if this

motion to recommit is adopted, veterans will no longer be a top priority. There will be no guarantee that service-disabled veterans will benefit from additional contracting opportunities. Instead, we would have competing programs, which is what we tried in this bill to rid ourselves of. Agencies will be more inclined to overlook disabled veterans in their award for sole source contracts.

And also, I would like to add for the RECORD, that this type of change is opposed by the American Legion, the National Black Chamber of Commerce, the Hispanic Chamber of Commerce, the U.S. Women's Chamber of Commerce, and the Associated General Contractors.

This motion will block business opportunity for service-disabled veterans. The American Legion opposed this motion, and we agree that this motion to recommit will be making it harder for veterans to secure Federal contracts.

You know, these are men and women coming back to our country from Afghanistan and Iraq. These are injured, service-disabled veterans who deserve the support of the American public and our Federal Government.

I ask Members to oppose this motion to recommit. As I mentioned, it was defeated 16-8 in the markup. This is merely an attempt at a second bite of the apple, and it should be defeated.

Mr. CHABOT. Would the gentleman yield?

Ms. VELÁZQUEZ. I would yield.

Mr. CHABOT. I thank the gentleman for yielding.

It is our view that veterans would not be in any way adversely affected if this motion to commit were to pass because they are already covered by the sole source area in the bill. So we just have an honest disagreement on this. We believe there is no way that veterans would be adversely affected if this motion to recommit would be passed.

Ms. VELÁZQUEZ. Let me just say to the gentleman that I don't know why you insist this section 101 to be stricken when you clearly know that this amendment was defeated in committee, not by Democrats, but Democrats and Republicans. It is opposed by every veteran organization in America.

Again, it will take Federal contracting away from disabled veterans. You know that we have failed these veterans before, and what we are doing is making sure that they have an opportunity to get a fair share of Federal contracts.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. CHABOT. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 177, nays 240, not voting 15, as follows:

[Roll No. 1016]

YEAS—177

Akin	Gallegly	Murphy, Tim
Alexander	Garrett (NJ)	Musgrave
Bachmann	Gilchrest	Myrick
Bachus	Gingrey	Neugebauer
Baker	Gohmert	Nunes
Barrett (SC)	Goode	Pearce
Bartlett (MD)	Goodlatte	Pence
Barton (TX)	Granger	Peterson (PA)
Bilirakis	Graves	Petri
Bishop (UT)	Hall (TX)	Pickering
Blackburn	Hastert	Pitts
Blunt	Hastings (WA)	Platts
Boehner	Hayes	Poe
Bonner	Heller	Porter
Bono	Hensarling	Price (GA)
Boozman	Herger	Pryce (OH)
Boustany	Hobson	Putnam
Brady (TX)	Hoekstra	Radanovich
Brown (GA)	Hunter	Ramstad
Brown (SC)	Inglis (SC)	Regula
Brown-Waite,	Issa	Rehberg
Ginny	Johnson (IL)	Renzi
Buchanan	Johnson, Sam	Reynolds
Burgess	Jordan	Rogers (AL)
Burton (IN)	Keller	Rogers (KY)
Buyer	King (IA)	Rogers (MI)
Calvert	King (NY)	Rohrabacher
Camp (MI)	Kingston	Roskam
Campbell (CA)	Kline (MN)	Royce
Cannon	Knollenberg	Ryan (WI)
Cantor	Kuhl (NY)	Sali
Capito	LaHood	Saxton
Carter	Lamborn	Schmidt
Castle	Latham	Sensenbrenner
Chabot	LaTourette	Shadegg
Coble	Lewis (CA)	Shimkus
Cole (OK)	Lewis (KY)	Shuster
Conaway	Linder	Smith (NE)
Crenshaw	LoBiondo	Smith (TX)
Culberson	Lucas	Souder
Davis (KY)	Lungren, Daniel	Stearns
Davis, David	E.	Sullivan
Davis, Tom	Mack	Terry
Doolittle	Mahoney (FL)	Thornberry
Drake	Manzullo	Tiahrt
Dreier	Marchant	Tiberi
Duncan	McCarthy (CA)	Turner
Ehlers	McCaul (TX)	Upton
Emerson	McCotter	Walden (OR)
English (PA)	McCrery	Walsh (NY)
Everett	McHenry	Wamp
Fallin	McHugh	Weldon (FL)
Feeney	McKeon	Westmoreland
Flake	McMorris	Whitfield
Forbes	Rodgers	Wicker
Fortenberry	Mica	Wilson (NM)
Fossella	Miller (FL)	Wilson (SC)
Fox	Miller (MI)	Wolf
Franks (AZ)	Miller, Gary	Young (AK)
Frelinghuysen	Moran (KS)	Young (FL)

NAYS—240

Abercrombie	Biggart	Cardoza
Ackerman	Bilbray	Carnahan
Aderholt	Bishop (GA)	Carney
Allen	Bishop (NY)	Castor
Altmire	Blumenauer	Chandler
Andrews	Boren	Clarke
Arcuri	Boswell	Clay
Baca	Boucher	Cleaver
Baird	Boyd (FL)	Clyburn
Baldwin	Boyd (KS)	Cohen
Barrow	Brady (PA)	Conyers
Bean	Braley (IA)	Cooper
Becerra	Brown, Corrine	Costa
Berkley	Butterfield	Costello
Berman	Capps	Courtney
Berry	Capuano	Cramer

Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseeth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen

Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert

Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skeltton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Udall (NM)
Velázquez
Visclosky
Walberg
Walsh (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Carson
Cubin
Deal (GA)
Hinojosa
Hulshof

Jefferson
Jindal
Kucinich
Paul
Sessions
Simpson
Smith (NJ)
Tancred
Weller
Wilson (OH)

□ 1402

Messrs. EDWARDS, COHEN, GENE GREEN of Texas, THOMPSON of Mississippi, CROWLEY, SHAYS, CUMMINGS and DENT and Ms. ZOE LOFGREN of California, Mrs. MALONEY of New York, Ms. ROS-LEHTINEN, Mrs. DAVIS of California and Mrs. BIGGERT changed their vote from “yea” to “nay.”

Messrs. HOBSON, JORDAN of Ohio and CANTOR changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CHABOT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 334, noes 80, not voting 18, as follows:

[Roll No. 1017]

AYES—334

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Butterfield
Buyer
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.

Dickson
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseeth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg

Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)

Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)

Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skeltton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Tsongas

Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—80

Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Blackburn
Blunt
Boehner
Boustany
Broun (GA)
Burton (IN)
Calvert
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Culberson
Davis (KY)
Davis, Tom
Doolittle
Dreier
Duncan

Ehlers
Everett
Feeney
Flake
Fossella
Foxy
Franks (AZ)
Gallegly
Gingrey
Gohmert
Goode
Hastert
Hastings (WA)
Hensarling
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Lamborn
Lewis (CA)
Linder
Lungren, Daniel
E.

Mack
Manzullo
Marchant
McCarthy (CA)
McCrery
McHenry
Miller, Gary
Musgrave
Myrick
Nunes
Pence
Petri
Pitts
Price (GA)
Putnam
Radanovich
Rogers (KY)
Rohrabacher
Royce
Ryan (WI)
Sali
Sensenbrenner
Shadegg
Smith (NE)
Terry
Thornberry
Wilson (SC)

NOT VOTING—18

Carson
Cubin
Deal (GA)
Herger
Hinojosa
Hulshof

Jefferson
Jindal
Jones (OH)
Kucinich
Paul
Pryce (OH)
Sessions
Simpson
Stupak
Tancred
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1408

Mr. LEWIS of Kentucky changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. JONES of Ohio. Mr. Speaker, on roll-call No. 1017 I was meeting with representatives of the Turkish community. Had I been present, I would have voted “aye.”

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3867, SMALL BUSINESS CONTRACTING PROGRAM IMPROVEMENTS ACT

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3867.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CJ'S HOME PROTECTION ACT OF 2007

Mr. DONNELLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2787) to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "CJ's Home Protection Act of 2007".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) nearly 20,000,000 Americans live in manufactured homes, which often provide a more accessible and affordable way for many families to buy their own homes;

(2) manufactured housing plays a vital role in providing housing for low- and moderate-income families in the United States;

(3) NOAA Weather Radio (NWR) is a nationwide network of radio stations broadcasting continuous weather information directly from a nearby National Weather Service (NWS) office, and broadcasts NWS warnings, watches, forecasts, and other all-hazard information 24 hours a day;

(4) the operators of manufactured housing communities should be encouraged to provide a safe place of shelter for community residents or a plan for the evacuation of community residents to a safe place of shelter within a reasonable distance of the community for use by community residents in times of severe weather, including tornados and high winds, and local municipalities should be encouraged to require approval of these plans;

(5) the operators of manufactured housing communities should be encouraged to provide a written reminder semiannually to all owners of manufactured homes in the manufactured housing community to replace the batteries in their weather radios; and

(6) weather radio manufacturers should include, in the packaging of weather radios, a written reminder to replace the batteries twice each year and written instructions on how to do so.

SEC. 3. FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARD.

Section 604 of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403) is amended by adding at the end the following new subsection:

"(i) WEATHER RADIOS.—

"(1) CONSTRUCTION AND SAFETY STANDARD.—The Federal manufactured home construction and safety standards established by the Secretary under this section shall require that each manufactured home delivered for sale shall be supplied with a weather radio inside the manufactured home that—

"(A) is capable of broadcasting emergency information relating to local weather conditions;

"(B) is equipped with a tone alarm;

"(C) is equipped with Specific Alert Message Encoding, or SAME technology; and

"(D) complies with Consumer Electronics Association (CEA) Standard 2009-A (or current revision thereof) Performance Specification for Public Alert Receivers.

"(2) LIABILITY PROTECTIONS.—No aspect of the function, operation, performance, capabilities, or utilization of the weather radio required under this subsection, or any instructions related thereto, shall be subject to the requirements of section 613 or 615 or any regulations promulgated by the Secretary pursuant to the authority under such sections."

SEC. 4. ESTABLISHMENT.

Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the consensus committee established pursuant to section 604(a)(3) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5304(a)(3)) shall develop and submit to the Secretary of Housing and Urban Development a proposed Federal manufactured home construction and safety standard required under section 604(i) of such Act (as added by the amendment made by section 3 of this Act). Notwithstanding section 604(a)(5)(B) of such Act, the Secretary of Housing and Urban Development shall issue a final order promulgating the standard required by such section 604(i) not later than the expiration of the 90-day period beginning upon receipt by the Secretary of the proposed standard developed and submitted by the consensus committee.

SEC. 5. STUDY.

The Secretary of Housing and Urban Development shall conduct a study regarding conditioning the applicability of the requirement under the amendment made by section 3 of this Act (relating to supplying weather radios in manufactured homes) on the geographic location at which a manufactured home is placed, but only to the extent that such requirement applies to new manufactured homes and new site-built homes. In conducting such study and making determinations under the study, the Secretary shall take into consideration severe weather conditions, such as high winds and flooding, and wind zones and other severe weather data available from the National Weather Service. Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Secretary shall complete the study and submit a report regarding the results of the study to the Committee on Financial Services of the House of Representatives and to the Committee on Banking, Housing, and Urban Affairs of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. DONNELLY) and the gentleman from Alabama (Mr. BACHUS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. DONNELLY. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DONNELLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2787, CJ's Home Protection Act of 2007, introduced by my colleague and friend from Indiana (Mr. ELLSWORTH). H.R. 2787 would require that weather radios be installed in all new manufactured homes manufactured or sold in the United States.

Mr. Speaker, this legislation passed the Financial Services Committee unanimously on September 18 of this year. It would ensure that manufactured homes continue to provide the highest level of safety to their residents in the event of devastating weather conditions, such as hurricanes and tornadoes, which many regions of the country, including my home State of Indiana, are all too familiar with.

In Indiana, and in my congressional district, we have a proud and a strong tradition of providing first-class manufactured housing for Americans and providing quality jobs for Hoosiers. Manufactured homes house 22 million people in over 10.5 million homes. These manufactured homes have continued a tradition of quality and safe construction over the years. They present a high-quality, affordable housing option for families, and will continue to do so for years to come.

Mr. Speaker, this is a thoughtful and deeply personal piece of legislation, and I commend Mr. ELLSWORTH for working together with manufacturers and advocates alike to craft a bill in H.R. 2787 that works for everybody. I urge Members to vote in favor of this legislation.

Mr. Speaker, I am glad to yield such time as he may consume to the gentleman from Indiana (Mr. ELLSWORTH).

Mr. ELLSWORTH. I would like to thank the gentleman, my good friend from Indiana (Mr. DONNELLY).

Mr. Speaker, I rise today in support of CJ's Home Protection Act. Nearly 2 years ago, a killer F3 tornado struck my district in southwest Indiana. The tornado hit a manufactured housing community after most people had gone to bed on a Saturday night, and it took the lives of 25 Hoosiers, 20 in my county and five in Warrick County next door, lives that might have been saved if the victims knew a storm was approaching.

CJ Martin, an energetic, smiling 2-year-old boy, was one of the victims that night. He and the other 24 victims are the reason I am here today, as well as the victims who have suffered the same across our country. His picture is a reminder of the destruction that comes to families and communities when severe weather strikes without warning.

Mr. Speaker, I was the sheriff of the county back in 2005, and I oversaw the recovery effort in the wake of this storm. The picture doesn't do it justice. The horror and devastation the storm left behind is something I will remember for the rest of my life. That is why this bill is so important to me.

I met Kathryn Martin, CJ's mother, right after the storm, and in the months afterwards she took that pain and suffering and turned it into an effort to pass this same legislation in the State of Indiana, which she was successful in doing.

□ 1415

Kathryn was successful in getting the bill passed, and because of the awareness she raised about weather radios, the people in my hometown of Evansville, Indiana, have the most weather radios in households per capita.

When I met Kathryn, I promised her that if I ever got to Congress, I would introduce a Federal bill that did the same thing she was trying to push in our State. This bill before us today fulfills that promise. CJ's Home Protection Act amends the Federal Manufactured Home Construction and Safety Standard to require that each manufactured home delivered for sale shall be supplied with a weather radio inside the manufactured home.

One might ask, not every area in this country suffers tornadoes. You are right about that. A tornado took CJ's life, but it could have just as easily been a fire like in California, flash flooding and even tsunamis. An added bonus of this bill would be that weather radios are also used to put out AMBER alerts.

The radio must be capable of broadcasting emergency information related to local weather conditions, equipped with a tone alarm and specific alert message encoding, and comply with Consumer Electronics Association standards for public receivers.

Like a smoke detector, these inexpensive devices can provide families with the warning they need to take action and protect themselves when severe weather strikes. This bill is about improving public safety, plain and simple. It is not about demonizing the manufactured housing industry. Kathryn and John Martin and the other residents of this community love their homes, and the manufactured homes provide affordable, high-quality homes for thousands of American families.

In fact, when my wife Beth and I were first married, we agreed to buy a manufactured home as our first home. Unfortunately, the manufactured housing park told us we were too young to move there so we had to make other arrangements.

I continue to be a strong supporter of manufactured housing. I see this legislation as adding one more feature to enhance the safety features of these structures. This bill is sponsored by the American Red Cross, the Inter-

national Association of Firefighters, and the Michigan Committee for Severe Weather Awareness.

Before I close, I want to thank the chairman of this committee, BARNEY FRANK, SPENCER BACHUS, Congressman DENNIS MOORE and Congresswoman KAY GRANGER for their support and being supporters of this bill, as well as Congressman JOE DONNELLY. I would also like to thank my staff for their tireless work on this effort.

Severe weather does not distinguish between Republicans and Democrats. It doesn't care whether you live in Indiana, California, Alabama, or Kansas. This is public safety legislation, and for a mere \$30 to \$80, we can perhaps save the next 2-year-old boy from this type of devastation.

Mr. DONNELLY. Mr. Speaker, I reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, I rise in strong support of CJ's Home Protection Act of 2007.

Congressman ELLSWORTH said a picture is worth a thousand words, and he held up a picture of CJ Martin. When the Congressman brought CJ's mother, Kathryn Martin, to my office, he brought that picture with him. It brought back memories to me of another picture, of not a little boy but of a little girl, and I have that picture with me today.

This is a picture of Whitney Crowder. Now, unlike CJ, I am happy to say that today she is an eighth grader in a Tuscaloosa city school. She is doing well, but she has had a lot to overcome. Just like CJ, she and her family lived in manufactured housing.

Let me tell you, manufactured housing in the South has replaced a lot of substandard housing. It provides affordable housing for a lot of Alabamians. As many as one out of five Alabamians lives in a manufactured house. It is affordable. It is clean, and it provides a very good home.

Whitney was living in one of these manufactured houses. An alert went out that said a tornado was 30 miles off. She had approximately 20 minutes; but the TV wasn't on. She didn't have a weather alert radio. And although the TV stations were able to track that storm and to tell within a quarter mile where it was going and when it would arrive there, she and her grandmother and the rest of her family didn't have the TV on. Some people say why don't you require these in cars. Why just manufactured housing? Well, in fact studies show when people are in cars they have the radio on and more often than not they receive an alert.

But as is the case in Alabama with this storm and another storm that took 32 lives a few years before that, people were asleep. I think the Martins were asleep. They had no idea that a killer tornado was bearing down on them, even though warnings were going out.

As I said, although I am happy to say that Whitney survived the tornado, her brother Wesley, 16-month-old, and her father did not. They were killed.

We have come to a time in our country where we really have no excuse not to do the few elementary things we can do to prevent the death or at least lessen the likelihood of the death of CJ Martin in Indiana or Wesley Crowder and his dad, Whitney's father, in Alabama. Technology today in an F-5 or F-4 storm gives 30 to 40 minutes' warning. With that warning you only need two things: You need shelter from the storm, you need a place to go, and you need to receive that warning.

Now, in 2003 this Congress passed the Tornado Shelters Act, which allows communities to use community block grant money to build shelters, a shelter from the storm, a shelter that could exist for the Martins or the Crowder family, and a mobile community.

I am happy to report in my district, the Sixth Congressional District of Alabama, we now have six of these shelters in or near manufactured housing communities. But people don't have to go to those. If they are in manufactured housing, they can go to a nearby building with a basement or interior room. Manufactured housing, a mobile home as some of us call them, they don't have basements and interior rooms. It is not wrong; it is just something they are not designed to have. But there are permanent structures nearby, whether it be a school, a tornado shelter that we authorized in 2003, or maybe even their parents' house. The Crowders had an aunt and uncle that lived only about 400 yards away in a site-built house with a basement. They would have been safe from that storm. The technology was there to warn them. The shelter was there to receive them, but there was no weather radio.

Now, what's the cost of a radio? Some people have talked about the cost that you are imposing, although the manufactured housing industry as far as I know has said they support this bill. Well, Wal-Mart just came out with a weather radio for \$12. So that's the cost if you buy them in bulk. You can put them in for \$12 in a mobile home, manufactured housing, \$12. What is the cost of not acting? For the Crowder family there are all sorts of costs. The greatest cost was the loss of two individuals, a little 16-month-old boy, Whitney's little brother, and her father. Also the cost to Whitney and her mother and the 12 other people injured by this storm. The cost was several million dollars in health care costs.

Now, we are not here to save money; we are here to save lives. But this bill will not only save lives; it will save money. A killer tornado like this hit Oak Grove at night, and among the things it did was paralyze a man. That man is still paralyzed to this day and his cost of treatment is, as we all know, hundreds of thousands of dollars a year. One radio in that gentleman's manufactured housing home could have saved him a life of paralysis. But, instead, it took 30 lives and denied him mobility for the rest of his life.

As the Congressman from Indiana said, this is not about Republicans or Democrats. There are certain things we ought to say, it is time to do this; and technology has reached that time. When 40 percent to 50 percent to sometimes as many as 60 percent of the deaths every year from these killer tornadoes are in mobile homes, manufactured housing, and families live in these houses, whether they be our grandparents, our parents, our children, our neighbors, our loved ones, or people we don't even know, you see the devastation here. There were site-built homes here. This is a manufactured house. Twenty-seven manufactured housing units in this area, a mobile home community, no longer existed.

As the gentleman from Indiana said, looking at this picture really doesn't do it justice. People actually commented when they came upon this area which was about half a mile long and 400 yards wide, it looked like a garbage dump. You couldn't tell there had been a community there. It looked like there were a few junk cars because the cars were rolled over and over.

We can rebuild these communities; but CJ, we can't bring him back. We can't bring Whitney's little brother and father back, but we can do our best for literally pennies to prevent some of these deaths.

I think that is why 55 TV stations throughout this Nation have made this their cause. They visited us in Washington last year. They said, Look, we will get the warning out and there are shelters available. But please require the installation of a \$12 radio so we can bridge that gap between warning and safe shelter.

That is what we are here to do today. In this House where we sometimes are in conflict and at loggerheads, can't we this time come together in a united way in an effort that will cost almost nothing and which the manufactured housing industry said we are willing to do this, and require these radios. And not only when a tornado comes or when a devastating flood comes like came to Texas and people were asleep in a mobile home community and several of those homes were swept away. This will save lives.

So I commend CJ Martin's mother. That's what America is about, someone saying I lost my son but I don't want it to happen again. It is about the Crowder family who wrote me a letter, a grandmother saying please push this bill.

We will never go back and know whether CJ could have survived had this legislation been passed. We will never know whether Wesley Crowder and his father would survive, but we do know by talking to people throughout the United States that these radios have in many, many cases already saved lives and will save lives if we install them in manufactured housing.

□ 1430

We have a shot at significantly reducing over half the deaths from tor-

nados simply by taking the step together united, Republicans and Democrats, and passing this legislation.

I commend Chairman FRANK for expeditiously moving this legislation, and I commend the Member from Indiana for his thoughtfulness and his care and dedication to this issue.

Mr. DONNELLY. Mr. Speaker, I want to thank the ranking member for his thoughtful and eloquent remarks; Congressman ELLSWORTH for his tireless effort on behalf of this, and the manufactured housing industry for their assistance.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. DONNELLY) that the House suspend the rules and pass the bill, H.R. 2787, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROCEDURAL FAIRNESS FOR SEPTEMBER 11 VICTIMS ACT OF 2007

Mr. NADLER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2106) to provide nationwide subpoena authority for actions brought under the September 11 Victim Compensation Fund of 2001.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Procedural Fairness for September 11 Victims Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The September 11th Victims Compensation Fund of 2001 (49 U.S.C. 40101 note) establishes a Federal cause of action in the United States District Court for the Southern District of New York as the exclusive remedy for damages arising out of the hijacking and subsequent crash of American Airlines flights 11 and 77, and United Airlines flights 93 and 175, on September 11, 2001.

(2) Rules 45(b)(2) and 45(c)(3)(A)(ii) of the Federal Rules of Civil Procedure effectively limit service of a subpoena to any place within, or within 100 miles of, the district of the court by which it is issued, unless a statute of the United States expressly provides that the court, upon proper application and cause shown, may authorize the service of a subpoena at any other place.

(3) Litigating a Federal cause of action under the September 11 Victims Compensation Fund of 2001 is likely to involve the testimony and the production of other documents and tangible things by a substantial number of witnesses, many of whom may not reside, be employed, or regularly transact business in, or within 100 miles of, the Southern District of New York.

SEC. 3. NATIONWIDE SUBPOENAS.

Section 408(b) of the September 11 Victims Compensation Fund of 2001 (49 U.S.C. 40101 note) is amended by adding at the end the following:

“(4) NATIONWIDE SUBPOENAS.—

“(A) IN GENERAL.—A subpoena requiring the attendance of a witness at trial or a hearing conducted under this section may be served at any place in the United States.

“(B) RULE OF CONSTRUCTION.—Nothing in this subsection is intended to diminish the authority of a court to quash or modify a subpoena for the reasons provided in clause (i), (iii), or (iv) of subparagraph (A) or subparagraph (B) of rule 45(c)(3) of the Federal Rules of Civil Procedure.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. NADLER) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2106, the Procedural Fairness for September 11 Victims Act of 2007. This bill is substantially identical to H.R. 3921, a bill that the House Judiciary Committee reported by voice vote without amendment on October 24.

This legislation would provide immediate procedural relief to the victims of the terrorist attacks of September 11, 2001, by implementing a technical fix to a bill that this Congress passed in the wake of those horrible events.

Eleven days after the September 11 attacks, we passed comprehensive legislation, the Transportation and Systems Stabilization Act. That Act, among other things, created a Victims Compensation Fund to provide relief for victims without the need for litigation. It also allowed victims to opt-out of the fund and seek relief in court.

The bill limited jurisdiction over any civil litigation to the United States District Court for the Southern District of New York.

An unintended consequence of our actions, under operation of the Federal Rules of Civil Procedure, was that subpoena power to secure testimony or documents from nonparty witnesses to any litigation has generally been limited to persons and documents located within 100 miles of the Southern District of New York.

The law we passed in 2001 did not take this 100-mile rule into account. Unfortunately, many of the events relevant to the September 11 tragedy occurred in Boston, where American Airlines Flight 11 and United Airlines Flight 175 originated, and in the Washington, DC, area where the Pentagon is

located and where American Airlines Flight 77 originated. Both of these locations are far outside the 100-mile limit from the Southern District of New York.

The bill before the House today would remedy this problem by providing for nationwide subpoena service for all parties in the litigation, victims, victims' families and defendants, to ensure that all parties involved have an opportunity to obtain the witnesses and evidence they need to obtain a fair hearing. That was Congress' intent, and we should not allow the unintended interplay between the 9/11 legislation and the Federal Rules of Civil Procedure to undermine that legislative purpose.

The bill also makes clear that the existing power of the Federal court under rule 45(c) to quash or modify a subpoena in order to protect a subpoenaed person from undue hardship or expense is maintained. That is the current rule, and the bill makes it clear that this important protection for witnesses will remain.

Congress has previously approved nationwide subpoena power in other contexts. For example, nationwide subpoena power is available under the False Claims Act, the Veterans Benefit Act and the Civil RICO statute.

This bill has bipartisan support. It passed the Senate by unanimous consent in committee and on the Senate floor. The House version, which is substantively identical to the Senate version, was reported by the House Judiciary Committee by voice vote.

Six years ago, Mr. Speaker, Congress and the Nation came together to provide prompt and equitable assistance for September 11 victims. I urge my colleagues to ensure that the laudable goals of that effort are not frustrated by the unintended effect of the Federal Rules of Civil Procedure in this particular case.

I urge the adoption of this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I support S. 2106, the Procedural Fairness for September 11 Victims Act of 2007.

In the wake of the 9/11 terrorist attacks, Congress created an operational alternative compensation program for victims killed or injured during the attacks.

This statute mandates that liability for all claims resulting from the 9/11 attacks is limited to an amount no greater than the limits of liability coverage maintained by the air carriers involved.

The statute further provides that compensation may only be obtained pursuant to a Federal cause of action brought in U.S. District Court for the Southern District of New York, where a consolidated action is already pending.

Representatives of several passengers, ground victims and others are

suings airline companies, airport security firms, airport authorities, and other defendants. The litigation focuses on events in New York; Washington, DC; Boston Logan Airport; and other areas around the country.

In most civil litigation brought in Federal court, rule 45, mentioned by my colleague from New York, of the Federal Rules of Civil Procedure limits the service of trial subpoenas to nonparty witnesses to the district and State where the case was filed "or at any place without the district that is within 100 miles of the place of trial." This limitation precludes the issuance of some subpoenas in the 9/11 litigation.

However, rule 45 also states, Mr. Speaker, that service may take place elsewhere pursuant to another Federal statute. For example, Congress allows for nationwide service under the False Claims Act, under the Veterans Benefits Act, and under the Civil RICO statute.

If this nationwide service feature is not extended to the 9/11 victims compensation law, a number of important witnesses will not be able to testify in person during the litigation.

There are alternatives to S. 2106, such as conducting pretrial, nonparty depositions around the country or videoconferencing, but they might prove costly. They're more likely to deny the jury the benefit of live, firsthand testimony.

Mr. Speaker, the bill applies equally to plaintiffs and defendants. The legislation promotes justice that is based on Federal precedent in other areas of law.

On this subject matter in this particular case, I agree with my colleague. This is a piece of legislation that did pass out of the full Judiciary Committee by voice vote, without any discernible opposition, something that brings us together here in this Congress, and I urge adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. I would add, it's somewhat rare in the Judiciary Committee, as my colleague knows.

Mr. Speaker, I now yield 5 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank my colleague from New York for yielding.

On behalf of my colleagues of New York's congressional delegation, and as one who represents families of the first responders and victims of the September 11 terrorist attacks, I'm proud to rise as the sponsor of the House companion to this important legislation.

I also wish to thank my 11 cosponsors and the distinguished chairman of the Judiciary Committee, Mr. CONYERS, as well as the Democratic leadership for expediting the consideration of this bill.

The Procedural Fairness for September 11 Victims Act of 2007, as its

title implies, ensures fairness for the victims of the terrorist attacks by correcting a shortcoming in the Federal Rules of Civil Procedure and by reversing an unintended consequence of the bill that established the September 11 Victim Compensation Fund.

Although I was not yet in Congress, many of my colleagues who were here at that time will recall when this body passed the bill creating the compensation fund in 2001.

Shortly thereafter, the Justice Department administered how the fund could allow victims of the terrorist attacks or their families to apply for financial assistance following the loss of loved ones who perished on that tragic day.

The Justice Department also designated the Southern District of New York as the only court in which 9/11 claims could be litigated if victims and their families chose to opt out of the fund.

As a result of this designation and a flaw in the Federal Rules of Civil Procedure, families of the victims, as well as the defendants in the 9/11 cases, cannot gain access to testimony or documents from witnesses who did not live within 100 miles of the Southern District of New York.

But there's really no logical reason why victims and their families should be prevented from securing documents and witnesses just because they happen to be more than 100 miles outside the Southern District.

It is obvious that many of the victims aboard the four airliners that crashed and those who were killed inside the World Trade Center and at the Pentagon, as well as those who witnessed these horrific events, resided well outside of this 100-mile radius of the Southern District of New York.

And it should be assumed that many of the families of the victims who are involved in the 9/11 claims, or those who will seek compensation at a later date, as well as the witnesses, still live in the same locations across the country. Therefore, geography simply should have no role in how they seek compensation.

In response to this problem, this bill amends the Air Transportation Safety and System Stabilization Act to provide for nationwide subpoena power to all parties involved, victims, their families and the defendants, when litigating 9/11 claims.

Simply put, this bill establishes a full measure of justice by allowing subpoenas to be served anywhere in the country, ensuring that all the parties involved in the 9/11 suits can gain all of the information necessary to try these cases fully and fairly.

My colleagues on both sides of the aisle can agree that justice requires that all the parties to cases arising under the Victims Compensation Fund have access to all the testimony and documents relevant to their claims, regardless of where the witnesses or documents are located in the United States.

Therefore, Mr. Speaker, I encourage my colleagues to support the Procedural Fairness for September 11 Victims Act of 2007. Once again, I want to thank the Judiciary Committee for reporting this measure to the floor so promptly, and I thank the leadership for moving it.

Mr. KING of Iowa. Mr. Speaker, I yield myself so much time as I may consume. I just conclude with some of the time that I yield to myself, and I will do so briefly. Sometimes we put a lot of words into our dialogue here, and I just wanted to put it into the simple words.

This bill says a subpoena may be served at any place in the United States with regard to this Act. Very simple. It's something that I do believe provides a better opportunity for justice and equity for those who are involved in a cause of action on this 9/11 victims compensation, and so I urge adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the complicated debate over this bill is not so complicated. It's a very simple bill, as you heard. There's unanimous agreement on it. It ought to pass. I thank the leadership. I thank the leadership and the minority leadership on the Judiciary Committee for expediting the bill to where it is now. I urge my colleagues to support this legislation.

S. 2106

Mr. HALL of New York. I am very pleased that today the House passed S. 2106, the Procedural Fairness for September 11 Victims Act. This bill is the Senate companion to an important piece of legislation I sponsored along with my good friend Representative TIM BISHOP of Long Island.

To start off I'd like to thank Mr. BISHOP for introducing this important bill in the House, and Mr. BIDEN for introducing it in the Senate. This is a simple bill, but a vital one to the people who it will affect, and I applaud both gentlemen for calling it to my attention, and that of the Congress as a whole.

Shortly after the 9/11 attacks, Congress passed legislation to the effect that those victims and families of victims seeking legal redress as a result of the events of 9/11 may do so only in the federal court in the Southern District of New York. However, under the Federal Rules of Civil Procedure, parties can only issue subpoenas for testimony and documents located within 100 miles of the District. This means that a significant percentage of evidence that might be relevant to the case is unobtainable to the participants only because it is not located within the New York City metropolitan area.

When Congress mandated that only one specific court could hear lawsuits from those people who opted out of the 9/11 Compensation Fund, no one foresaw that the decision would prove to be a barrier for those people who seek evidence from outside the jurisdiction of this court. But there is no alternative as to where they can bring suit.

I am proud to support this bill because it fixes this unintended flaw by providing nation-

wide subpoena power to all the parties involved in litigating 9/11 claims. The 9/11 attacks were an attack on the whole country. It was a tragedy that greatly affected us all. There's no reason why victims should be prevented from obtaining possibly vital evidence, just because it happens to be outside the jurisdiction's direct subpoena power.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of S. 2106, the Senate companion to H.R. 3921, the "Procedural Fairness for September 11th Victims Act of 2007." This legislation amends the Air Transportation Safety and System Stabilization Act to allow those September 11th victims and their families who opted out of receiving compensation through the September 11th Victims Compensation Fund to have nationwide subpoena power when litigating September 11th claims. It is necessary to make this change because presently all parties involved in litigating September 11th claims—victims, victims' families and defendants—must do so in the U.S. District Court for the Southern District of New York. The problem occurs because under the Federal Rules of Civil Procedure, no party may compel testimony or documents from non-party witnesses who do not live within 100 miles of the Southern District of New York. This bill would provide for nationwide subpoena power for all parties. The court however, would retain its authority to modify or quash any subpoena that it determined to be too burdensome.

Mr. Speaker, within 11 days of the September 11th attacks, Congress drafted, debated, adopted and signed into law the Air Transportation Safety and Systems Stabilization Act (ATSSSA), 49 U.S.C. Section 40101. Among other things, this legislation included assistance to the airline industry and created an optional alternative compensation program for individual victims killed or injured by the events of September 11th (the September 11th Compensation Fund). The United States District Court for the Southern District of New York was designated as the only court with "original and exclusive jurisdiction over all actions brought" arising out of the attacks of September 11th. The objective was to consolidate all litigation arising out of September 11th events in one location before a single court that could adjudicate all the claims in a thorough, efficient, equitable and fair proceeding.

Given the justifiable interest of Congress in expediting assistance to the airline industry and creating a mechanism to provide compensation to the persons who bore the brunt of the national trauma occurring on September 11th, it is understandable that the Congress did not give due regard to Federal Rule of Civil Procedure 45, which provides for service of trial subpoena to non-party witnesses in the district or State where the case was filed or anyplace within 100 miles of the district that the court proceedings will take place (the "100 mile bulge").

The upshot, Mr. Speaker, is that in the absence of this minor change, subpoenas would be limited to within 100 miles of the Southern District of New York (within 100 miles of Manhattan) and could not reach the geographically significant and relevant locales of Boston, Massachusetts (from where flights American Airlines 11 and United Airlines 175 originated) and Washington Dulles Airport (from where American Airlines flight 77 originated).

Pending before the District Court for the Southern District of New York is the consoli-

dated action, *In re September 11 Litigation*, in which representatives of a number of passengers and ground victims (including claims brought by those who came to the World Trade Center disaster site to assist with the debris removal effort following the attacks), as well as an array of parties suing for property damage and consequential economic loss are seeking recovery from a group of defendants including airline companies, airport security firms, airport authorities, the Boeing Corporation and others.

This litigation focuses not only on the events that occurred at the Twin Towers in Manhattan but also hundreds of miles away at Washington's Dulles Airport, Boston's Logan Airport and various other locations around the Nation, including the headquarters for each of the various airlines and security companies. It has become clear that in order for the September 11th victims, their families, and the defendants to have access to all the evidence relevant to the case, it is necessary to make available at trial non-party witnesses from Massachusetts, Virginia, and elsewhere. The legislation before us accomplishes this limited objective.

H.R. 3921 is non-controversial, bipartisan and bicameral. There has been no opposition to the bill from any interested sectors. The legislation is identical to S. 2106, which was introduced by Senator BIDEN of Delaware on September 27, 2007 and passed by unanimous consent in the Judiciary Committee and the full Senate the following day. That bill was referred to the House Judiciary Committee as the sole referral. Mr. Speaker, for the reasons stated, I strongly support H.R. 3921 and urge my colleagues to join me in voting for this wise and beneficial legislation.

Mr. NADLER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. NADLER) that the House suspend the rules and pass the Senate bill, S. 2106.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

□ 1445

THIRD HIGHER EDUCATION EXTENSION ACT OF 2007

Mr. YARMUTH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2258) to temporarily extend the programs under the Higher Education Act of 1965, to amend the definition of an eligible not-for-profit holder, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Third Higher Education Extension Act of 2007".

SEC. 2. EXTENSION OF PROGRAMS.

Section 2(a) of the Higher Education Extension Act of 2005 (Public Law 109-81; 20

U.S.C. 1001 note) is amended by striking "October 31, 2007" and inserting "March 31, 2008".

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109-171) or by the College Cost Reduction and Access Act (Public Law 110-84) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

SEC. 4. DEFINITION OF ELIGIBLE NOT-FOR-PROFIT HOLDER.

Section 435(p) of the Higher Education Act of 1965 (20 U.S.C. 1085(p)) is amended—

(1) in paragraph (1), by striking subparagraph (D) and inserting the following:

"(D) acting as a trustee on behalf of a State, political subdivision, authority, agency, instrumentality, or other entity described in subparagraph (A), (B), or (C), regardless of whether such State, political subdivision, authority, agency, instrumentality, or other entity is an eligible lender under subsection (d)."; and

(2) in paragraph (2)—

(A) in subparagraph (A)(i), by striking subclause (II) and inserting the following:

"(II) is acting as a trustee on behalf of a State, political subdivision, authority, agency, instrumentality, or other entity described in subparagraph (A), (B), or (C) of paragraph (1), regardless of whether such State, political subdivision, authority, agency, instrumentality, or other entity is an eligible lender under subsection (d), and such State, political subdivision, authority, agency, instrumentality, or other entity, on the date of enactment of the College Cost Reduction and Access Act, was the sole beneficial owner of a loan eligible for any special allowance payment under section 438.";

(B) in subparagraph (A)(ii), by inserting "of" after "waive the requirements";

(C) by amending subparagraph (B) to read as follows:

"(B) NO FOR-PROFIT OWNERSHIP OR CONTROL.—

"(i) IN GENERAL.—No State, political subdivision, authority, agency, instrumentality, or other entity described in paragraph (1)(A), (B), or (C) shall be an eligible not-for-profit holder under this Act if such State, political subdivision, authority, agency, instrumentality, or other entity is owned or controlled, in whole or in part, by a for-profit entity.

"(ii) TRUSTEES.—A trustee described in paragraph (1)(D) shall not be an eligible not-for-profit holder under this Act with respect to a State, political subdivision, authority, agency, instrumentality, or other entity described in subparagraph (A), (B), or (C) of paragraph (1), regardless of whether such State, political subdivision, authority, agency, instrumentality, or other entity is an eligible lender under subsection (d), if such State, political subdivision, authority, agency, instrumentality, or other entity is owned or controlled, in whole or in part, by a for-profit entity.";

(D) by amending subparagraph (C) to read as follows:

"(C) SOLE OWNERSHIP OF LOANS AND INCOME.—No State, political subdivision, authority, agency, instrumentality, trustee, or other entity described in paragraph (1)(A), (B), (C), or (D) shall be an eligible not-for-profit holder under this Act with respect to any loan, or income from any loan, unless—

"(i) such State, political subdivision, authority, agency, instrumentality, or other

entity is the sole beneficial owner of such loan and the income from such loan; or

"(ii) such trustee holds the loan on behalf of a State, political subdivision, authority, agency, instrumentality, or other entity described in subparagraph (A), (B), or (C) of paragraph (1), regardless of whether such State, political subdivision, authority, agency, instrumentality, or other entity is an eligible lender under subsection (d), and such State, political subdivision, authority, agency, instrumentality, or other entity is the sole beneficial owner of such loan and the income from such loan.";

(E) in subparagraph (D), by striking "an entity described in described in paragraph (1)(A), (B), or (C)" and inserting "a State, political subdivision, authority, agency, instrumentality, or other entity described in subparagraph (A), (B), or (C) of paragraph (1), regardless of whether such State, political subdivision, authority, agency, instrumentality, or other entity is an eligible lender under subsection (d)."; and

(F) by amending subparagraph (E) to read as follows:

"(E) RULE OF CONSTRUCTION.—For purposes of subparagraphs (A), (B), (C), and (D) of this paragraph, a State, political subdivision, authority, agency, instrumentality, or other entity described in subparagraph (A), (B), or (C) of paragraph (1), regardless of whether such State, political subdivision, authority, agency, instrumentality, or other entity is an eligible lender under subsection (d), shall not—

"(i) be deemed to be owned or controlled, in whole or in part, by a for-profit entity; or

"(ii) lose its status as the sole owner of a beneficial interest in a loan and the income from a loan,

by such State, political subdivision, authority, agency, instrumentality, or other entity, or by the trustee described in paragraph (1)(D), granting a security interest in, or otherwise pledging as collateral, such loan, or the income from such loan, to secure a debt obligation for which such State, political subdivision, authority, agency, instrumentality, or other entity is the issuer of the debt obligation.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. YARMUTH) and the gentleman from California (Mr. McKEON) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to S. 2258 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. YARMUTH. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YARMUTH asked and was given permission to revise and extend his remarks.)

Mr. YARMUTH. Mr. Speaker, I rise in support of S. 2258, a bill to extend programs under the Higher Education Extension Act of 1965.

In addition to extending the current programs under the Higher Education Act for 5 months until March 31, 2009, the bill also makes a necessary technical correction to the College Cost Reduction and Access Act with respect to nonprofit lenders. This language will

ensure the designation of a nonprofit lender will go to those that Congress intended.

During this Congress we have made significant commitments to our Nation's students and families by putting resources in the hands of those most in need. H.R. 2669, as passed and signed by the President, does more to help Americans pay for college than any effort since the GI Bill at no new cost to taxpayers.

Specifically, the legislation provided a landmark investment of \$20 million in additional funding for Pell Grants, reductions in the interest rate on student loans, and the creation of programs to help students manage debt, as well as encourage individuals to pursue public service.

Providing this critical funding is a large part of our efforts to increase access on affordability to higher education. The next step is to work on policies that further support access and affordability, such as campus-based aid, TRIO, GEAR-UP, teacher education and the other programs that make up the Higher Education Act.

Additionally, we realize that millions of Americans are deeply worried about whether they can afford to send their kids to college or how they will be able to pay the bills while also paying off substantial student loan debt. Looking at how the Federal Government can assist in addressing the rising cost of college will also be a key part of the reauthorization of the Higher Education Act.

I look forward to working with Chairman MILLER and the other members of the committee to complete work on the Higher Education Act.

Mr. Speaker, I reserve the balance of my time.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House began this exercise last week granting a temporary extension of programs under the Higher Education Act. We did the same thing in July of this year and in June, and we did it a half dozen times before that. For the most part, these extensions have been clean, simply maintaining current law. Unfortunately, they are now becoming more complicated.

Earlier this year, Congress passed a package of student aid reforms cloaked in the guise of a budget reconciliation bill. Instead of moving through regular order, the new majority took a shortcut. That shortcut has cost us dearly. Budget reconciliation bills have strict limitations designed to prevent them from being abused as a tool to enact policy, rather than budgetary reform.

Judging by this year's bill, those rules are not strict enough. Nonetheless, the budget reconciliation process chosen by the majority prevented us from including fundamental reforms to the bulk of the Higher Education Act.

A few weeks ago, committee Republicans introduced H.R. 3746, the College Access and Opportunity Act of 2007.

This bill is an updated version of the reauthorization bill that passed the House last Congress. H.R. 3746 would strengthen the Pell Grant program, empower parents and students through "sunshine" and transparency and college costs and accreditation, improve college access programs and much more. Unfortunately, the House has yet to act on comprehensive reforms.

The budget bill enacted earlier this year was a missed opportunity of epic proportions. But worse than that, it was a classic example of how a secretive rushed legislative process can produce harmful unintended consequences.

In rushing to the floor with the reconciliation bill, Democrats made mistakes. Several provisions included in the reconciliation bill need to be fixed so that everyone is treated fairly under the law and the law can be implemented as Congress intended. Additionally, the Department of Education has already reached out to Congress to discuss one of the new grant programs, which they see as near to impossible to implement as written.

Had Congress had time to contemplate the impact of the provisions in the new programs, we may have been able to avoid all the confusion that now must be corrected. Today, in addition to extending these programs, we are being forced to fix mistakes made by the flawed budget reconciliation bill. Some of these mistakes can be corrected because the Department of Education has yet to act on them, despite the October 1 implementation date. Other legislative errors have already been implemented by the Department of Education, rendering a correction costly, if not impossible.

Already our hands are tied, and we are unable to fairly and fully correct the problems created through reconciliation. Rather than repeat this rushed process again, I hope that we will move forward with the Higher Education Act reauthorization in a bipartisan and thoughtful manner.

I look forward to working with Chairmen MILLER and HINOJOSA and Ranking Member KELLER, and all of my colleagues on the Education and Labor Committee, in completing our work in the coming months.

In the meantime, however, I urge my colleagues to join me in supporting this extension.

Mr. Speaker, I yield back the balance of my time.

Mr. YARMUTH. Mr. Speaker, I will close by once again strongly encouraging my colleagues to support this important legislation, thanking the distinguished ranking member of the Education and Labor Committee.

Mr. Speaker I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. YARMUTH) that the House suspend the rules and pass the Senate bill, S. 2258.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

REREFERRAL OF H.R. 2744, AIRLINE FLIGHT CREW TECHNICAL CORRECTIONS ACT

Mr. YARMUTH. Mr. Speaker, I ask unanimous consent that the Committees on Education and Labor, House Administration and Oversight and Government Reform be discharged from further consideration of the bill (H.R. 2744) to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews, and that the bill be rereferred to the Committee on Education and Labor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 866

Mr. McKEON. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 866, a bill originally introduced by Representative Norwood of Georgia, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MAKING PERMANENT THE AUTHORITY TO ISSUE SPECIAL POSTAGE STAMP TO SUPPORT BREAST CANCER RESEARCH

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1236) to make permanent the authority of the United States Postal Service to issue a special postage stamp to support breast cancer research, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITY.

Section 414(h) of title 39, United States Code, is amended by striking "2007" and inserting "2011".

SEC. 2. REPORTING REQUIREMENTS.

The National Institutes of Health and the Department of Defense shall each submit to Congress and the Government Accountability Office an annual report concerning the use of any amounts that it received under section 414(c) of title 39, United States Code, including a description of any significant advances or accomplishments, during the year covered by the report, that were funded, in whole or in part, with such amounts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Missouri (Mr. CLAY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, as a sponsor of H.R. 1236, the bill would make permanent the breast cancer research stamp, which first went on sale on July 29, 1998.

After several discussions with the Postal Service, I offered an amendment in the nature of a substitute to H.R. 1236 during the Subcommittee on Federal Workforce, Postal Service and the District of Columbia markup on September 18, 2007.

The amendment retained the Postal Service's flexibility by reauthorizing the breast cancer stamp for an additional 4 years and strengthens the bill's reporting requirements. The new reporting requirements would assess the breast cancer stamp's effectiveness and appropriateness and the cost to the Postal Service for administering the program to find a cure for breast cancer.

The amendment was agreed to by voice vote. H.R. 1236, as amended, was reported from the Oversight Committee on September 20, 2007, by a voice vote.

In America, breast cancer is reported as the second leading cause of cancer deaths among women after lung cancer. The American Cancer Society estimated 178,480 women will be diagnosed this year with invasive breast cancer. In the U.S., approximately 40,000 will die.

The Postal Service has sold over 785.6 million breast cancer research stamps from which \$54.626 million have been transferred to the National Institutes of Health and DOD for breast cancer research and awareness.

I encourage my colleagues to support H.R. 1236 and urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to commend my good friend, the gentleman from Missouri (Mr. CLAY), for his remarks and his work on this legislation.

I rise today to urge passage of H.R. 1236, to extend the authority of the U.S. Postal Service to issue a stamp to support breast cancer research.

Those of us in Congress received a tragic reminder of the need for continued research into this disease with the passing of our beloved colleague, Jo Ann Davis; and we thank the majority, in particular Mr. CLAY, for taking the opportunity to honor her memory.

Nearly 180,000 people, mostly, but not all, women, will learn that they have invasive breast cancer this year alone. About 40,000 people will die from this disease. Women who are white and over the age of 40 are more likely to suffer from breast cancer, but its victims run the gamut of age, race and socioeconomic background. We have made some progress in recent years thanks to early detection and increased awareness and availability of mammograms.

But in the past 3 years, both mammograms and incidence of breast cancer have decreased. This doesn't mean things are getting better. It means ominously and unfortunately that fewer cases are being detected.

As I am sure Jo Ann Davis would tell us if she were still with us here today, early detection, early treatment, constant vigilance and public awareness are key to putting this disease in its place. For example, incidence rates of both invasive and in-situ breast cancer rise and fall with the percentage of women who receive mammograms.

After two decades of progress, both the use of mammograms and the rates of detection have begun to slip in recent years. As early detection increased, so did survival rates; but they will fall, too, if we can't improve public awareness of the importance of early detection.

That's where the measure that is before us comes in. This bill would reauthorize the Postal Service to issue the 55-cent stamp for first class mail, with 14 cents of each stamp going to breast cancer research and awareness programs for an additional 4 years. Since the program began in 1998, the Postal Service has sold more than 785 million of these stamps and raised \$54.6 million for breast cancer research.

This disease preys on women such as Jo Ann Davis and on so many others, women on whom others have come to depend. They are mothers, grandmothers, business owners, teachers, researchers, even Members of this great body. We need these women and the invaluable contributions they make to our life and society. We need this measure to help save their lives.

I have had the privilege of attending every single Race for the Cure for the past 11 years, every single one that has been held in my hometown of Knoxville.

□ 1500

This is a very worthwhile cause that I am sure all of our colleagues on both sides of the aisle can support very enthusiastically.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, let me thank the gentleman from Tennessee (Mr. DUNCAN), my friend, who is certainly committed to this cause and who has joined with me in what I think is a worthwhile cause for the people of this country.

I also want to dedicate H.R. 1236 in memory of the late Congresswoman Jo

Ann Davis. Jo Ann's courageous battle with breast cancer further inspires us to expand efforts to secure more research dollars and find a cure for this devastating disease.

I commend everyone who has championed this issue in Congress, including former Representative Vic Fazio for introducing the first Breast Cancer Research Stamp Act in 1996, and Senator DIANNE FEINSTEIN, Representative JOE BACA and the late Juanita Millender McDonald who pioneered the idea of a permanent breast cancer stamp, research stamp in 2001. And I ask my colleagues to support the passage of H.R. 1236.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I have no additional speakers, and I urge passage of this legislation.

I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I have no additional speakers, and I urge my colleagues to vote in favor of this worthwhile effort.

I yield back my time.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 1236, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A Bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research."

A motion to reconsider was laid on the table.

DENNIS P. COLLINS POST OFFICE BUILDING

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3307) to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the "Dennis P. Collins Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3307

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DENNIS P. COLLINS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, shall be known and designated as the "Dennis P. Collins Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Dennis P. Collins Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman

from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, as a Member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H.R. 3307, which names a postal facility in Bayonne, New Jersey, after Dennis P. Collins.

H.R. 3307, which was introduced by Representative ALBIO SIREs on August 1, 2007, was reported from the Oversight Committee on September 20 of 2007 by voice vote. This measure has the support of the entire New Jersey congressional delegation.

Mr. Speaker, Dennis P. Collins was a veteran of World War II and served in the U.S. Army for 3 years. In 1974, the people of Bayonne, recognizing Mr. Collins's abilities and his love for the community, elected him as mayor when Mayor Fitzpatrick decided not to run for another term. He was re-elected in 1978, 1982 and in 1986. He served for 16 consecutive years.

In 1990, Mr. Collins retired as mayor, but remains active in public life. He received numerous awards and honors for his years of public service.

Mr. Speaker, I commend my colleague, Representative ALBIO SIREs, for introducing this legislation, and urge the swift passage of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

I rise today to join my fellow Members of Congress in recognizing Dennis Collins and his extraordinary contributions to Bayonne, New Jersey. Fortunately for Bayonne, Mr. Collins missed his trip on the Titanic to visit family members back in Ireland. If it were not for this fortunate coincidence, the rest of Mr. Collins's biography most likely would not be possible.

Mr. Collins was born and raised in Bayonne, where he attended St. Vincent De Paul Grammar School and the Holy Family Academy. As a young man, he served in World War II, including time in the China-Burma-India theater of operations. Upon his return, he went to work for Tidewater Oil Company, General Motors, Edward F. Clark Real Estate and Insurance Agency, and Bayonne Water and Sewer Utility.

Ultimately, it was his interest in the community that led Mr. Collins to seek political office. In 1962, Mr. Collins was elected to his first of three terms on the municipal council, two of which he served as council president. In 1974, he was elected to serve as mayor of the City of Bayonne. His popularity in the

community was so immense that he served for the next 16 years. He currently holds the record for Bayonne as the first individual to serve seven consecutive 4-year terms in elective office and four consecutive 4-year terms as mayor.

Mr. Collins retired in 1990 as mayor, but he continues to be an active and committed leader to the citizens of Bayonne.

Mr. Collins's reputation as a public servant was forged by his compassion and interest in helping his fellow citizens. His legacy and service to others is a wonderful example to his children, grandchildren and to the citizens of Bayonne and beyond.

With gratitude for his devotion and service to the Bayonne community, it is particularly fitting that we name the United States Postal Service building located at 570 Broadway in his honor.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SIREs).

Mr. SIREs. Mr. Speaker, I rise today in support of H.R. 3307, a bill to designate the post office on Broadway in Bayonne, New Jersey, as the Dennis P. Collins Post Office. Mayor Collins is a legend in my congressional district for his long-time public service to the people of his community and the State of New Jersey.

Before entering elected public office, Mayor Collins served his country during World War II in the U.S. Army for 3 years, including time in the China-Burma and India theater of operations. In 1962, Mayor Collins won his first election to public life by serving on the Bayonne Municipal Council. He went on to serve two more terms, both as council president.

In 1974, Dennis Collins ran and won his first term as the mayor of Bayonne. Mayor Collins served in his role as mayor of Bayonne for the next 16 years before retiring in 1990.

Even though he no longer has an official position, Mayor Collins remains available to elected officials and citizens alike to advise and support.

As a former mayor in the same county as Mayor Collins, he served as a role model for me and many other mayors in the region. I always admired how Mayor Collins ran his city so efficiently, while never losing sight of the needs of his constituents. I see no better way to honor him today than by passing this bill to name this Bayonne Post Office after him so his legacy can continue in the city forever.

Mr. DUNCAN. Mr. Speaker, I simply rise to commend the gentleman from New Jersey (Mr. SIREs) for introducing this very appropriate and fitting legislation, and I urge its support by all of our colleagues.

I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I urge all of my colleagues to support H.R. 3307, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 3307.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CLAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MICHAEL W. SCHRAGG POST OFFICE BUILDING

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3446) to designate the facility of the United States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, as the "Michael W. Schragg Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3446

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MICHAEL W. SCHRAGG POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, shall be known and designated as the "Michael W. Schragg Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Michael W. Schragg Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H.R. 3446, which names a postal facility in Marshall, Michigan, after Michael W. Schragg.

H.R. 3446, which was introduced by Representative TIMOTHY WALBERG on August 3, 2007, was reported from the Oversight Committee on October 23, 2007, by voice vote. This measure has the support of the entire Michigan congressional delegation.

Mr. Speaker, Michael W. Schragg served as postmaster of Marshall,

Michigan, for 23 years. In June 1970 he began as a substitute clerk carrier, and in May 1979 he became the postmaster of Marshall.

During Marshall's 1987 annual historic home tour, Mr. Schragg began displaying a number of old postal artifacts throughout the post office. Due to the many artifacts displayed, tourists thought the post office was a museum rather than an official working post office. He decided to develop an extensive collection of postal antiques in the basement of the post office and in an annex building. Currently, he is known for his noteworthy accomplishment in the creation of the Marshall Postal Museum. Everyone in Marshall knows Mr. Mike Schragg as the man who knows everyone's zip code by heart.

Mr. Speaker, I commend my colleague, Representative TIMOTHY WALBERG, for introducing this legislation and urge the swift passage of this bill.

I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Michael Schragg grew up on his family's farm in Ceresco, Michigan. In 1967, he enlisted in the U.S. Army and served in Germany for 3 years. After this period, he returned to Michigan and began his career in the postal service in 1970. Within 5 years he was promoted to postmaster for the Olivet office, and in 1979 became the postmaster for Marshall, Michigan. During his tenure, the Marshall office was named the All-American Post Office.

Beyond the postal service, Mr. Schragg has always been active in his community. He is a past president of the Marshall Rotary Club and continues to serve on the Marshall Historical Society.

However, his most noteworthy accomplishment is the creation of the Marshall Postal Museum. The Marshall Postal Museum is the second largest in the U.S., behind the Smithsonian Postal Museum here in Washington, D.C. The museum is now one of the cornerstones of the immensely popular Marshall historical home tour. In fact, in 2003, the New York Times called the postal museum the town's piece de resistance. The article went on to say, "If you think you have no interest in postal history, a tour conducted by the ebullient Mr. Schragg will change your mind."

Beyond the New York Times, Mr. Schragg and his museum have also been featured in Michigan magazine. Mr. Schragg even drove a vintage 1931 Model A mail delivery truck in the 2001 inauguration parade.

□ 1515

Considering his devotion to preserving the past and his work to develop the future of the Postal Service, it is fitting that we name the building where he toiled for so long in his honor. This is especially true since the Marshall Postal Museum is housed in

the basement of the same Marshall Post Office.

I ask my colleagues to join me in support of this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to rise today in support of naming the Marshall, Michigan Post Office, a prominent post office in my district, the Seventh District of Michigan, the Michael W. Schragg Post Office.

Michael's life story has been recounted to some degree by my colleagues thus far, but he is one that is beloved in his community, family, and the American postal service. Michael served as Marshall's postmaster for 23 years and was the force behind the creation of the Marshall Postal Museum, the second largest postal museum in the United States, behind only the Smithsonian, as has been represented thus far.

Michael was born in Calhoun County and raised on the family farm in Ceresco, Michigan. He attended a one-room country school, the Francisco School in Ceresco, through the seventh grade, and he then went on to graduate from Marshall High School. Michael met his wife, Loretta, while working at the Robinson's department store as he attended Kellogg Community College.

Michael enlisted in the U.S. Army Post Office in June 1967 and served in Germany for 3 years. Michael and Loretta went on to have three children, two of whom embarked on postal careers of their own.

Michael started his postal career in Marshall, Michigan, as a substitute clerk carrier and quickly earned a promotion to supervisor. The following year he became the postmaster for Olivet, Michigan, only to return to Marshall, serving as the town's postmaster for 23 years. During his tenure in Marshall, the U.S. Postal Service named the Marshall Post Office an All-American Post Office.

Michael Schragg has been active in the Marshall community throughout his lifetime. He is a past president of the Marshall Rotary Club and continues to serve on the Marshall Historical Society. Michael's most noteworthy accomplishment is the creation of the Marshall Postal Museum. It is second only to the Smithsonian Postal Museum in size and is housed in the basement of the historic Marshall Post Office.

The Marshall Post Office building, a Greek revival architectural style with copper roof, was constructed in 1932 out of Marshall sandstone. The idea for the downstairs museum occurred during Marshall's 1987 Historic Home Tour. At that time Postmaster Schragg displayed a number of old postal artifacts throughout the building, which was on the historic tour that year. Many people thought the entire post office was a museum rather than an official work-

ing U.S. Post Office. After the tour Michael began organizing the collection of postal antiques in seven rooms in the basement and in an annex building behind the post office.

The Marshall Postal Museum has since become one of the cornerstones of the annual Marshall Historic Home Tour. It was part of a New York Times article about places in America worth visiting, and Michael and the museum have also been featured in Michigan Magazine.

Michael has taken some of the museum's displays on the road and, as has been mentioned, toured numerous States. Michael drove a vintage 1931 Model A mail delivery truck in President George W. Bush's first inaugural parade in Washington, DC.

Because of Michael's countless hours of work on the Marshall Postal Museum, his years of service to the United States Postal Service in Michigan, and his dedication to the Marshall community, naming the Marshall Post Office in his honor is a fitting tribute, and I urge the House to join me in support of H.R. 3446.

Mr. DUNCAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I urge my colleagues to fully support H.R. 3446. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 3446.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CLAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING THE FIRST RESPONDERS AND SUPPORTING THE VICTIMS OF THE SOUTHERN CALIFORNIA WILDFIRES

Mr. CLAY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 778) honoring the first responders and supporting the victims of the Southern California wildfires.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 778

Whereas beginning on October 21, 2007, Southern California experienced a number of devastating wildfires destroying over five-hundred-thousand acres—the largest in the history of California—and over fourteen-hundred homes and countless other properties;

Whereas high temperatures and erratic winds caused the multiple fires to rapidly progress in the counties of Ventura, Los An-

geles, Orange, Riverside, Santa Barbara, San Bernardino, and San Diego;

Whereas loss of life and serious injuries have resulted from the fires;

Whereas approximately one million residents of Southern California have been forced to evacuate their homes and businesses due to the fires;

Whereas the effect of the wildfires on Southern California families and businesses is still being felt;

Whereas thousands of firefighters from California and neighboring states and countries continue to respond to the fires, risking health and safety and exhibiting resilience and courage to rescue residents and fight the blazes;

Whereas over 2,500 National Guardsmen and other active duty military personnel are actively engaged in supporting firefighters and relief operations;

Whereas additional emergency personnel, such as law enforcement and medical personnel, have coordinated with local authorities and firefighters and have performed beyond the call of duty in the preservation and protection of human lives;

Whereas hundreds of volunteers took time from their daily lives to help ensure that evacuated families are sheltered, clothed, fed, and emotionally comforted through this traumatic event;

Whereas it is clear that the continued commitment and heroism exhibited by firefighters have saved countless lives, homes, and businesses;

Whereas the people of California and the nation recognize that the dedication of firefighters will remain steadfast throughout the ongoing efforts; and

Whereas a major Federal disaster declaration was issued on October 24, 2007; Now therefore, be it

Resolved, That the House of Representatives—(1) recognizes and honors the heroic service, actions, and sacrifices of first responders, National Guardsmen, and law enforcement personnel, state and local officials, volunteers, and others who participated in responding to the October 21, 2007 outbreak of wildfires in Southern California;

(2) expresses its commitment to the residents of Southern California as they begin to rebuild their community and their lives; and (3) vows its full support to and solidarity with the state of California.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in consideration of House Resolution 778, a resolution that recognizes and honors the heroic service, actions, and sacrifices of first responders, National Guardsmen, volunteers, and others who participated in responding to the outbreak of wildfires in Southern California. House Resolution 778, which has 53 cosponsors, was

introduced by Representative ZOE LOFGREN.

Mr. Speaker, wildfires in Southern California have destroyed over 1,000 homes and scorched more than 400,000 acres. From San Diego to Malibu, hundreds of thousands were warned to leave their homes. More than 250,000 were told to flee in San Diego County alone. There were at least 18 different wildfires in Southern California.

I commend my colleague, Representative LOFGREN, for seeking to honor the first responders and to express full support to the victims of the Southern California wildfires and urge the swift passage of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to urge passage of this resolution honoring and recognizing the heroic efforts of the firefighters and other first responders to the fires in Southern California.

Mr. Speaker, I think we should take a moment to ponder what happens when a situation like this occurs. A disaster occurs and people appear, seemingly out of nowhere, to offer every type of help and assistance. They are organized and disciplined and effective and precise. They are heroic and swift and knowledgeable and kind.

But who are they? Who are these men and women who drive toward the disaster when the rest of us drive away? Who leaves behind his home and family for perhaps weeks on end and goes to help others? Who sets up the shelters and the medical aid stations? Who helps seniors and the infirm evacuate? Who rushes to save Los Angeles and Ventura and Orange and Riverside and Santa Barbara and San Bernardino and San Diego?

In the case of California, about 2,500 citizen soldiers, we call them National Guardsmen, have raced to the rescue. So have countless numbers of firefighters, law enforcement, and medical personnel.

We owe these people and their families a debt of gratitude. We couldn't do what they do. Thank God they can.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California.

Ms. ZOE LOFGREN of California. Mr. Speaker, as Chair of the California Democratic delegation, I rise along with Speaker PELOSI, Chairman WAXMAN, and my Republican colleagues to honor the heroic services, actions, and sacrifices of our first responders, State and local officials, volunteers, and others who participated in responding to last week's devastating outbreak of wildfires in Southern California.

This was the worst outbreak of wildfires in California history. Over 500,000 acres burned, nearly 1 million residents evacuated, over 3,000 residential and commercial properties destroyed or damaged, 116 reported injuries, seven reported fatalities.

I have no doubt that the quick and valiant response of our firefighters, police officers, National Guard, and thousands of selfless volunteers saved lives and hundreds of millions of dollars. The State of California owes these brave men and women our gratitude. California and our Nation also owes a debt of gratitude to our neighbors, Canada and Mexico, for volunteering their own firefighters and equipment.

I would also like to commend the cities, counties, and State for showing great leadership and preparedness in dealing with this disaster. Leadership at the local and State government levels allowed for effective coordination with Federal agencies in the allocation of resources and making sure our residents were out of harm's way.

Because of the change in weather pattern, coupled with the extraordinary efforts of firefighters, we are now beginning to contain most of these fires and are closing the evacuation shelters. However, many families are going back to literally ruins of their former homes, lives, and communities.

I ask that all of my colleagues continue to stand with our California neighbors as they begin to rebuild their lives. The fires may be dying down, but the emotional impact and financial hardship faced by these families are only beginning.

With the leadership of Speaker PELOSI, Senators FEINSTEIN and BOXER, and Chairman DICKS, we hope to quickly move an emergency appropriations bill to help the rebuilding process for the families, cities, and counties affected by this devastating wildfire.

This resolution today, cosponsored by every single member of our 53-member-strong bipartisan delegation is, I believe, the first legislative step forward for Congress to meet the needs of California as she recovers from this disaster.

Mr. DUNCAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my very good friend from Tennessee (Mr. DUNCAN) for yielding me time.

I thank Mr. CLAY for his management of this measure. And I join with my colleagues, Ms. LOFGREN and the Republicans who have joined as cosponsors of this very important resolution.

A week ago at this time, Mr. Speaker, there were no fewer than 14 major fires with hundreds of thousands of acres on fire in Southern California. As we know, nearly 2,000 homes were destroyed in those fires and we went through a number of very, very challenging days through last week. And while we still have fires raging, we have had a great deal of success. We have had a great deal of success in the aftermath of these fires due to the stellar leadership provided by Governor Schwarzenegger; by President Bush;

and our Secretary of Homeland Security, Michael Chertoff; the Director of the Federal Emergency Management Agency, David Paulison; and a wide range of other local governments involved. And I have to say the leadership of our congressional delegation has really been a great example.

We are joined on the floor here by my friend from San Diego (Mr. BILBRAY) whose district was impacted. And last Thursday I had the privilege of traveling with our colleagues, Senator FEINSTEIN, and I see Congressman FILNER is here as well from San Diego, and others who joined with the members of the San Diego delegation who were there to have the chance to see firsthand the devastation that was caused by these fires.

BRIAN BILBRAY is someone who has, time and time again, stepped up to the plate to deal with challenges that he has faced in the San Diego area, and what we saw last Thursday was another example. He was able to take the Governor of California and the President of the United States to meet individually with those who had been victimized by the fires and for all of us to join with Mr. FILNER and Mrs. DAVIS and Mr. ISSA and Mr. HUNTER in talking to those firefighters who have come from all over, not just the State of California but from around the country.

□ 1530

Now, Mr. Speaker, the State of California is the State that is best equipped to deal with the disaster of fires. And I say that because California has this very unique structure known as a Unified Command. Now, what that consists of is, rather than having these disparate firefighting organizations come into an area and take on the issue of dealing with fire, the Unified Command means that the highest ranking fire official, the fire chief in a particular area that knows that county, with the canyons and the valleys and the challenges geographically that they face, is there to provide the direction and the leadership. And that is the reason, Mr. Speaker, that we have had such success within the past week in dealing with what was described by a 36-year veteran battalion chief from San Diego as the worst fire that he has ever seen in California's history.

I also want to say that I express appreciation to our colleagues from all across the country. We have, again, firefighters who came from around California and around the country; and I know it was in large part due to the encouragement that our bipartisan Congress, that Members on both sides of the aisle of the Congress, from both the House and the Senate, have provided in encouraging these courageous firefighters to come forward and provide the assistance necessary.

There are going to be challenging days ahead, as my colleague, Ms. LOFGREN, said, Mr. Speaker. We obviously are going to have to deal with

continued fighting of the fires and also rebuilding. And there also will be, I believe, a very important debate as we look at the days and weeks and months ahead, and I'm talking about the challenge we face in dealing with disasters.

We know that fire is just one of the multifarious disasters that we deal with in California. There are disasters that hit other parts of the country. I think we need to have a debate on the role that the Federal Government plays in dealing with these disasters. I have talked with a number of people who are interested in now getting involved, the Center for Strategic International Studies, John Hamre there, I've talked to Director Paulison about this.

We have, again, a great deal of work, but at this time, this resolution is designed to focus on the fires in California and express our appreciation for the support that has been provided, and also our thoughts and prayers for those who have been victimized by this.

So, Mr. Speaker, I thank my friend for yielding, and I thank all those who have been involved in supporting this resolution.

Mr. CLAY. Mr. Speaker, at this time I would like to yield 3 minutes to my friend from California (Mr. BACA).

(Mr. BACA asked and was given permission to revise and extend his remarks.)

Mr. BACA. First of all, I would like to thank Mr. CLAY in reference to H.R. 778. I would also like to thank my good friend ZOE LOFGREN for her work with the California delegation and her leadership in bringing this resolution to the floor in a bipartisan fashion. And I state "in a bipartisan fashion" because it impacts the whole State of California.

Last week's disaster was a painful time for all of us in the communities of Southern California. Recent estimates show that the fire destroyed over 2,800 structures, including over 2,000 homes. And the fires also destroyed more than 500 acres of land in an area that doubles the size of New York City.

Seven people were killed, 113 firefighters and 26 civilians were injured, and I state, 113 firefighters and 26 civilians were injured. These are people that were willing to fight the fires to save not only their own, but to save the lives of many individuals who were impacted.

This past weekend, I had a chance to see the devastation firsthand and visit with many of our evacuees in the shelter included in my district, with a total of 4,000 that we evacuated into the district at the Orange County Fairgrounds in my area. And while we can never really understand the losses suffered by so many, we share their pain. We share their pain.

We stand together today united as one House first and foremost to say thank you for the heroic actions and sacrifices of the first responders. And I say "the first responders," the firefighters who are willing to put them-

selves on the line to save many others, law enforcement officers, the National Guard, and many of the volunteers.

We also stand here to say to the people of Southern California, we are with you. We are committed to rebuilding our homes and communities in California and rebuilding the lives of those who have lost so much. Our first priority right now is to make sure that everyone is housed, clothed and fed, and after that we will begin to rebuild. But once the smoke is cleared, we will work towards a long-term solution to do everything we can to prevent disasters like this from ever happening again.

We have to take a realistic look at the situation. All data indicates that the fires nationwide are increasing in size and intensity. Those of us in Congress must respond to these warnings. Our planet is changing; we must acknowledge that. We need to meet the new challenges we are facing. We need to better fund our firefighters and our Forest Service. And we have to take a serious look at where we build our developments.

We must do everything in our power to prevent destruction of life, property, and our environment. Let us take the time to reflect on what we have lost. And we thank God, and I say we thank God for what we still have. Let us say thanks to those heroes who pulled us through this horrible week. Let all those who have lost a home or a loved one know that we stand with you.

I urge my colleagues to support this resolution.

Mr. DUNCAN. Mr. Speaker, I yield 3 minutes to the gentleman from Imperial Beach, California, my friend, Mr. BILBRAY.

Mr. BILBRAY. I thank the gentleman. It's Solano Beach, California. I know one beach is like the other. I was raised in one, but live in Carlsbad. But I would just like to clarify.

This resolution is recognizing the men and women who were fighting on the front line. And I think there are two big advantages we had in San Diego. San Diego County lost over 1,500 homes. Many of those homes could have been saved under all kinds of different theories. But the fact is we had one great advantage that we did not lose more. And it was not just the men and women who were fighting on the line that you saw on television, but it was the men and women who serve in a very unique California experience called the Unified Disaster Council, where San Diego County itself houses the chairman of the county, and every mayor, police chief and fire chief in a system of networks, with a common communications system, with a common planning system toward the local providers who were able to provide the base and the foundation for State and Federal agencies to come in and build upon. And that was essential.

And if there was any lesson that I would hope the people of the United States would take from our tragedy

that we had in our county was that preparedness starts at the local level, and that you can never expect a State or Federal agency to replace the needed foundation and the networking that you have at the local level.

So get your act together locally, communicate and build a system, because a crisis in one way or the other is coming your way. And San Diego, I was very proud, as the former chairman of the Disaster Preparedness Council, I was proud to see how far they have come along and how well they are organized.

A lot of people may not know that a lot of the great savings we had, when the fires were moving towards my home in Carlsbad, my mother got the call over her phone through a thing called "Reverse 911" that notified her that she was in a warning area, needed to pack up and be ready to leave at a moment's notice. She was assured that if her area was becoming a danger zone, she would be notified by the same phone communication that had told her to prepare for that. This is the kind of local networks that we need to continue to build, not just in California, where we have historically done it through the county system, but throughout this Nation.

I would ask, Mr. Speaker, that we also recognize that this infrastructure gave our men and women, the firefighters not just from San Diego County or Southern California, but from the entire State, from the north down to the south, gave us the capability to respond to this crisis in a way that I think those of us in California should be very proud of.

The crisis has not passed totally; we still have threats out there. But the fact is I think we can build on building better communication between the Federal, State and local community. But the foundation has been set. And I would invite anyone who is interested in preparing their community for their crisis to try to learn from our mistakes and our successes in California and San Diego so that we can all build for a safer neighborhood. And when we do that preparation, we not only make ourselves safer, we protect those men and women that are firefighters to avoid their exposure to risk by us doing the right thing ahead of the fires.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. Davis).

Mrs. DAVIS of California. Mr. Speaker, Kurt Vonnegut once said, "I can think of no more stirring symbol of man's humanity to man than a fire engine," and I agree. Last week, my district in San Diego bore witness to extraordinary displays of humanity and resiliency as wildfires swept through our region.

We owe a debt of gratitude to the firefighters, National Guard and military personnel who fought and continue to fight the fires on the ground and in the air. Some of them lost their homes, others were seriously injured,

and all made enormous sacrifices to ensure public safety.

The firefighters with whom I spoke, it has been mentioned that they came from throughout the State and beyond, said Mother Nature outdid them on this one, but they do not feel defeated, and instead they were anxious to get back to work performing their job.

In addition, I think it bears repeating that San Diego County and City leadership should be commended for coordinating a quick and effective response. And I agree, San Diego region should be used as a model for the country. There is much that we have learned and much that we can also teach.

Last week, firefighters caused the largest evacuation in California's history. As residents fled the fires, volunteers from all walks of life came forward to help the evacuees. I saw such a tremendous outpouring of compassion and support at the evacuation centers. San Diegans rolled up their sleeves and found a way to help their neighbors during this crisis.

At Qualcomm Stadium, I spoke to a volunteer who is a professional tour guide. He realized he could put his organizational skills and strong voice to work at the relief center. The coordinators at the stadium agreed and assigned him to training volunteers.

I also saw staff from the City's Park and Rec Department organizing entertainment for children and families, volunteers passing out food, and even massage therapists helping evacuees to relax.

Although the majority of fires are now under control and many residents have left the evacuation centers, the San Diego region faces a lot of hard work in the months ahead. Our prayers go out to the many families who lost their homes.

As the shock and heartbreaks subside, we must do everything in our power to ensure that full recovery is within sight as soon as possible. And as we think ahead, Mr. Speaker, to the precarious nature that we are in and the inevitability of future massive fires, we must also engage in the most serious discussions of lessons learned.

I support House Resolution 778.

Mr. DUNCAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ISSA), a member of the committee.

Mr. ISSA. I thank the gentleman.

Mr. Speaker, this resolution is an excellent example of bipartisan behavior in the drafting. It reflects quite well what we went through in California last week. Particularly, I take note of the fact that this was the largest fire because it had the most fuel. This is one of the challenges we face in California. We have hundreds of thousands of acres that may not have been cleared or burned in more than three decades. That continues to be a challenge. And this body has to take some initiative to correct that. We need to have the ability to clear areas before they burn. But even if we do, there will be fires.

I would hope for many of the people that hear us today and read the RECORD of today's Journal that they will recognize that some of the information that perhaps was put out was incorrect over the airwaves. Many people talked in terms of too many people too close to wilderness.

When the President visited Congressman BILBRAY and my district, Rancho Bernardo, which is at the heart of our two districts, Rancho Bernardo is a suburban, "Leave It to Beaver" community. This is an area with an interstate on both sides of it. The fire went on both sides of a 10-lane interstate. It jumped it because 80-mile-an-hour winds will do that. We didn't create that in California; California had that when we arrived.

On the hilltops, firefighters were looking at just ordinary backyards, sometimes hillsides, but ordinary backyards of half-acre, acre lots, or less, and in fact trying to save the houses on them.

So, I would hope that people throughout the country, when they try to characterize what went on in California, would take an opportunity to meet with somebody from the districts in California, Congressman FILNER, Congressman BILBRAY, myself, and others, because we saw firsthand that firefighters had residential fires from 80-mile-an-hour-, 100-degree-driven firestorms.

□ 1545

Additionally, I would like to bring up something that may not often cross the awareness of the men and women around the country who know about this fire, and that is we not only executed in San Diego County all of the plays that were in the playbook, all of the things which were written on how to fight a fire well from Malibu to the Mexican border, but additionally we wrote some new chapters.

I am very proud that the United States Marines of Camp Pendleton and the Marine Corps Air Station at Miramar joined the fight for the first time beyond those who were part of the plan. We were able to mobilize, on any given day, as many as eight additional aircraft which had never been designated to fight fires off the base. They were made available due to the initiative of the Northern Command and of Major General Lehnert and others in the chain of command who said, We have the ability to fight fire. We fight them on our bases every day. We will bring those to bear.

With cooperation from the department called CAL FIRE in California and the Governor's office, that was made to happen in less than 48 hours. So when the book is written on the evacuation and on the fighting of the fire in Southern California, yes, it was devastating for over 5,000 families that lost homes, that lost commercial buildings, that lost trailers or that, in fact, lost their farms and ranches, but, in fact, this was a well-fought fire in

which the people of San Diego came together to do the right thing.

I am very proud of the people of San Diego and all of Southern California. I am also very thankful for the United States Marine Corps and the other first responders who made such a difference in our time of need. I thank you for this resolution, and I support and encourage all those to vote for it.

Mr. CLAY. Mr. Speaker, I now yield 1 minute to the gentlewoman from California, Madam Speaker.

Ms. PELOSI. I thank the gentleman for yielding and for bringing this legislation to the floor. I want to commend the cochairs of our delegation, Congresswoman ZOE LOFGREN and Congressman DAVID DREIER, both from California, being the cochairs of our delegation, and all of our colleagues who come to the floor today and join us in expressing our appreciation to our men and women in uniform, our first responders, emergency services personnel, and our firefighters who conducted themselves in such a brave, brave and tireless manner to protect the people and the homes and businesses of California.

Today, we thank God that the winds have finally died down and our brave first responders were able to contain the largest fire in the Golden State's history. As I said, our first responders, our firefighters, were courageous and tireless. More than 11,000 personnel, including thousands of firefighters from across California and neighboring States, and thank you to our neighboring States for their participation, and 2,500 of our brave National Guardsmen and -women worked through long days and nights to battle the dangerous flames.

In doing so, as I said, they saved lives, homes and businesses. For that, we will be forever grateful.

Today in California, five fires still burn. As these fires are quenched, the hard work of restoring the regular order of residents' lives begins. We can now begin the accounting of our staggering losses: seven dead and more than 100 injured; 500,000 acres burned; 1 million residents forced to evacuate; 1,400 homes destroyed across seven counties.

But as the victims of the fire know, the tragedy can't be expressed in those numbers. It is in the lost baby photos and treasured mementos gone forever. It is in the fear of knowing that in an instant life can take a tragic turn.

I salute Governor Schwarzenegger and the Governor's Office of Emergency Services for their efforts and leadership in protecting the people in the area and containing the fires.

I am very pleased that President Bush responded to the request of the Governor and the California bipartisan delegation in declaring what was happening in California as a major disaster.

Today, we vow that our response to this fire will not end once those flames

are extinguished. The California congressional delegation will work in a bipartisan way with the entire Congress, with the Governor and the President to ensure short-term and long-term needs are met.

To those who have suffered personal losses, whether it's the loss of a loved one, personal injury, loss of their homes and their communities, as Speaker of the House, I extend the deepest sympathy and the fullest support of the House of Representatives. We stand with you today and in the days of rebuilding to come.

Once again, I acknowledge the leadership of Mr. CLAY and Mr. DUNCAN and thank them for giving us this opportunity to express our appreciation to our firefighters and our first responders in California.

Thank you very much, gentlemen. Thank you, Mr. Speaker.

Mr. DUNCAN. Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. I thank the gentleman for yielding.

Mr. Speaker, I represent the southern part of the City of San Diego where we had thousands of evacuees, hundreds of homes lost, a really terrifying situation for many people. Of course, getting back on their feet will be a major, major challenge. But what we saw, as we have heard from my colleagues, is cooperation, cooperation from all levels of government, from the cities, the fire districts, county, State, Federal, and also international, which no one has mentioned up to this point. I watched as 60 firefighters, bomberos as we call them, from Tijuana, in Mexico, came to help and were a part of the team as we fought the Harris fire in southern San Diego. I think that was a very important contribution.

I had the opportunity to talk to the President as we flew to the fires. He understood that he needed to be visible very early, which was very hopeful, and that FEMA had to be proactive and not just reactive. The blue shirts of FEMA were on the job and visible everywhere, and their local assistance centers were set up very much earlier than in any previous disaster, I think. And that gave hope to many people. Those assistance centers, again, before even many of the evacuees had been allowed to return home were there and helping people.

We saw the hope on people's faces as they saw this cooperation in getting help from everywhere. And although they face a very difficult time, they do have hope. It was the volunteers, of course, our firefighters and our officers, police officers and other first responders, but the volunteers came from all over. Some of them had evacuated their own homes. Some of them lost their own homes. Teachers and others were there to help the children while away the time and even learn while they were there, people who brought

food, people who brought clothing and psychological help, massages and medical help. So all of these people were involved. It was an incredible sight to behold as we went to Qualcomm Stadium or any of the evacuation centers around the county. You saw everybody pitching in. It was that coming together in San Diego that will give hope to the people who face challenges in the future and that got us through this very terrifying time.

I thank the House for this resolution in support of the people of California.

Mr. DUNCAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague from Missouri for yielding.

As a representative of areas affected by the recent wildfires and a cosponsor of H. Res. 778, I rise in its strong support. Over the last 10 days, wildfires have devastated much of Southern California. Hundreds of thousands of acres have been burned. Thousands of homes and businesses have been destroyed.

While this tragedy has faded from the Nation's headlines, thousands of our first responders, military personnel, volunteers continue to battle the fires and to aid in the recovery effort. Today we commend these amazing individuals. Thousands of firefighters from throughout California and across the Nation put their lives on the line to protect our communities. They battled out-of-control flames fanned by restless hurricane-force winds, and they fought tirelessly for 12, 24, even 36 hours straight.

In addition, countless police officers and military personnel and other first responders successfully executed the largest evacuation in California's history. Tens of thousands of evacuees were sheltered with ample food, supplies, and facilities. Thousands of generous individuals have given their time, their money, their resources to help victims of this tragedy to get back on their feet.

Mr. Speaker, California is sadly all too familiar with wildfires. My district includes parts of San Luis Obispo, Santa Barbara and Ventura Counties, each of which experience wildfires almost annually. The most recent was Zaca fire which burned more than 240,000 acres of these three counties and lasted almost 3 months.

I am proud to say from firsthand experience that California's emergency preparedness systems and procedures are among the best in the Nation, I would say in the world. As the wildfires grew in size and numbers, the Governor's Office of Emergency Services was able to coordinate and allocate resources to the areas that needed them most, regardless of jurisdiction. Local firefighters from San Diego battled flames along with colleagues from Nevada, while planes from Wyoming and

Colorado filled their tanks at Channel Islands Air National Guard Station just outside my district.

If it were not for this organized and swift effort, many more acres, homes, and lives would have been lost. Mr. Speaker, as we move forward, I hope we can learn from this experience to help prevent such a tragedy from repeating itself in the future. And to the countless men and women who helped in this tragedy, we commend you and we thank you for your heroic efforts.

Mr. DUNCAN. Mr. Speaker, I yield such time as he may consume to our colleague, the gentleman from California (Mr. HUNTER), who represents some of the City of San Diego and much of San Diego County.

Mr. HUNTER. Mr. Speaker, I want to thank my great colleague for yielding me some time and just follow my colleagues to again commend all of those who helped to take on this incredible challenge and to defeat this fire. Even though it destroyed lots of sagebrush land and lots of back country and homes and buildings and took some lives, we had a well-coordinated effort.

Let me just point out also that I know Mr. ISSA talked about the United States Marines and the United States Navy especially in the San Diego region working hand in hand with State and local firefighting officials and volunteers and the crews and especially in the area of the air war against the fire undertaking this challenge and doing very, very well.

At the other level, at the level of bringing in assets from out of the State, I think we should also commend General Steven Blum, who is head of the National Guard for this country. And even before he received the request from the State of California, even though the request had been initiated by Governor Schwarzenegger, it goes through a number of bureaus and agencies before it actually gets to the unit that is going to send the particular firefighting aircraft to the location where it is going to engage the fire.

Before he received the request from the State of California, General Steven Blum deployed aircraft and put out the deployment order for aircraft from Colorado, Wyoming and North Carolina. These are the so-called MAFFS units, C-130 units that have the ability to put down about 3,000 gallons of fire retardant per aircraft. They can pave an area a quarter of a mile wide. They do an extremely effective job of fighting fires.

General Blum ordered those aircraft deployed to California before he had the order to deploy them. Before he had the request, he said, I am going to send them out as a training mission, and by the time they get there, the paperwork will catch up with them.

So I think we all owe him a debt, and all those wonderful crews that came in from Wyoming, North Carolina and Colorado, as well as all the other crews in various other dimensions of the firefighting who arrived from out of State.

So, Mr. Speaker, this was a wonderful team effort, I think perhaps a model for the country. We have a few rough edges to work on for the next one, a few reforms to make, and we are going to do that. But we had a wonderful, wonderful taking up of this enormous challenge. Our challenge now is to rebuild; and, similarly, we will all work together as a team to do that. I thank the gentleman for yielding.

□ 1600

Mr. CLAY. Mr. Speaker, I reserve my time.

Mr. DUNCAN. Mr. Speaker, I have no further speakers, so I will simply close for our side by saying these were fires and evacuations of historic proportions. They were handled in absolutely the best way possible, and I commend everyone involved in responding to these disasters and urge passage of this resolution. I think it is something that all of our colleagues can enthusiastically support.

Mr. Speaker, I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I ask my colleagues to unanimously support this resolution and show full support to the victims of these wildfires, the people of Southern California. I urge swift passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and agree to the resolution, H. Res. 778. The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CLAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING ANNIVERSARIES OF MASS MOVEMENT FOR SOVIET JEWISH FREEDOM AND FREEDOM SUNDAY RALLY FOR SOVIET JEWRY

Mr. CLAY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 759) recognizing the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, DC.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 759

Whereas, in 1964, the American Jewish Conference on Soviet Jewry (AJCSJ) was founded to spearhead a national campaign on behalf of Soviet Jewry;

Whereas, in 1964, the Student Struggle for Soviet Jewry was founded to demand freedom for Soviet Jewry;

Whereas, in 1964, thousands of college students rallied on behalf of Soviet Jewry in front of the United Nations;

Whereas Israel's victory in the 1967 Six-Day War inspired Soviet Jews to intensify their efforts to win the right to emigrate;

Whereas, in 1967, Soviets launched an anti-Zionist propaganda campaign in the state-controlled mass media, and a crackdown on Jewish autonomy, galvanizing a mass advocacy movement in the United States;

Whereas, in 1970, the Union of Councils for Soviet Jewry was founded as a coalition of local grass-roots "action" councils supporting freedom for Jews of the Soviet Union;

Whereas, in 1971, the severe sentences, including death, meted out to nine Leningrad Jews who attempted to hijack a plane to flee the Soviet Union spurred worldwide protests;

Whereas, in 1971, the National Conference on Soviet Jewry (NCSJ) succeeded the AJCSJ;

Whereas, in 1971, mass emigration of Jews from the Soviet Union began;

Whereas, in 1975, President Gerald R. Ford signed into law the Jackson-Vanik Amendment to the Trade Act of 1974, prohibiting the extension of trade benefits to countries that limit emigration, and otherwise infringe basic human rights;

Whereas, in 1978, the Congressional Wives for Soviet Jewry was founded;

Whereas, in 1982, President Ronald Reagan enacted Public Law 97-157, expressing the sense of the Congress that the Soviet Union should cease its repressive actions against those individuals who seek the freedom to emigrate or to practice their religious or cultural traditions, drawing special attention to the hardships and discrimination imposed upon the Jewish community in the Soviet Union;

Whereas, in 1983, the bipartisan Congressional Human Rights Caucus was founded to advance the cause of human rights;

Whereas, in 1984, the Congressional Coalition for Soviet Jews was founded;

Whereas, in 1987, an estimated 250,000 people demonstrated on the Mall in Washington before the start of the Reagan-Gorbachev summit, in an unprecedented rally that helped give the issue added visibility on the national scene;

Whereas, in 1989, the Soviet Union opened its doors to the millions of Soviet Jews who had been held as virtual prisoners within their own country;

Whereas, in 1991, the Supreme Soviet passed a law that codified the right of every Soviet citizen to emigrate, precipitating massive emigration by Jews from the Soviet Union, primarily to Israel and the United States;

Whereas the hundreds of thousands of immigrants from the Soviet Union and former Soviet republics have greatly enriched their new-found homes in areas as diverse as business, professional sports, the arts, politics, and philanthropy;

Whereas, in 1992, Congress passed the Freedom Support Act, making aid for the fifteen former Soviet republics contingent on progress towards the implementation of a democratic system, and respect for human rights;

Whereas, since 2000, more than 400 independent Jewish cultural organizations and 30 Jewish day schools have been established in the former Soviet Union, giving rise to a renewal of Jewish life;

Whereas NCSJ and its partners have performed exceptionally by continually promoting the safety and security of Jews in the former Soviet Union;

Whereas continued acts of anti-Semitism and xenophobia in the former Soviet Union are reprehensible and respect for democracy,

religious freedom, and human rights in the former Soviet republics needs promotion and strengthening; and

Whereas it is the 40th anniversary of the mass movement for freedom by and on behalf of Soviet Jewry: Now, therefore, be it

Resolved, That Congress recognizes the 20th anniversary of the Freedom Sunday Rally for Soviet Jews in Washington, DC, which embodies the American principle of citizen activism for the greater good.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Res. 759, a bill that recognizes the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C. H. Res. 759, which has 57 cosponsors, was introduced by Representative HENRY WAXMAN on October 18, 2007. House Resolution 759 was reported from the Oversight Committee on October 23, 2007, by voice vote.

Mr. Speaker, the former Soviet Union today has the third-largest Jewish community in the world. During the 17th and 18th centuries, the Russian Empire was home to the world's largest Jewish community. In the late 19th century, over 5 million Jews lived as a persecuted minority in Czarist Russia. This indifference towards Jews continued throughout the 20th century under the leadership of Secretary General Joseph Stalin and Prime Minister Nikita Khrushchev of the Soviet Union.

In the mid-1960s, Prime Minister Alexei Kosygin was reported to have said "the road is open and no problem exists" for Soviet Jews who might want to leave for Israel. This remark sparked an increase in the efforts of Jews to leave the Soviet Union and helped initiate international efforts to facilitate their mass movement from Soviet Russia.

In 1967, in response to earlier Soviet Jewry advocacy efforts, Russian authorities allowed some Jewish citizens to leave for family reunification in Israel. Due to the lack of diplomatic relations between Israel and the Soviet Union, most emigres traveled to Vienna where Israeli authorities flew them to Israel. By March 1976, the majority of emigres who left on visas for Israel chose to resettle in the United States and other Western countries.

Mr. Speaker, I commend my colleague Representative WAXMAN for seeking to recognize the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C., and urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to join my fellow Members of Congress in recognizing the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C.

As with many other peoples of faith, Jews suffered under the oppressive yoke of communism in the Soviet Union. Their struggles inspired American Jews to establish the American Jewish Conference on Soviet Jewry and the Student Struggle for Soviet Jewry in 1964 in order to campaign on behalf of their fellow Soviet brethren.

After the Six-Day War in 1967, the Soviets intensified the persecution of the Jewish community through state-controlled media and by reducing Jewish autonomy. Soon a mass exodus, a mass emigration of Jews from the Soviet Union began. These developments helped to galvanize the advocacy movement within the U.S.

Over the following years, this mass advocacy movement helped spur the U.S. Government to achieve much. Perhaps most notably, in 1975 President Ford signed into law the Jackson-Vanik Amendment to the Trade Act of 1974. This amendment prohibited the extension of trade benefits to countries that limited immigration and otherwise infringed human rights. It was drafted specifically with the plight of Soviet Jews in mind. Later, President Reagan signed a law drawing attention to the hardships imposed on the Jewish community of the Soviet Union.

In 1987, an estimated 250,000 people demonstrated on the Mall before a Reagan-Gorbachev summit. This rally increased the issue's national visibility. Partly due to these efforts, the Soviet Union finally opened the doors of emigration to its Jewish population in 1989. Two years later, the Soviet Government codified the right of every Soviet citizen to emigrate, prompting massive flows of Jews to Israel and to the United States.

This serves as an example of the great American tradition of citizen involvement for the greater good. I ask my colleagues to join me in support of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, 20 years ago, on December 7, 1987, there were 250,000 people gathered in Washington,

D.C., to rally for the plight of Soviet Jews. I vividly remember participating in that rally, which took place on the eve of the Reagan-Gorbachev summit. It was a major turning point that helped compel the Soviet Union to open its doors for the millions of Soviet Jewish emigres who had been held as virtual prisoners within their own country.

I think back to congressional delegations to the Soviet Union where I met with Jewish refusniks who were suffering under communist repression. These brave dissidents were blacklisted from their jobs, socially ostracized and, in some cases, jailed, only because of their desire to practice their religion and live in freedom.

I remember meeting with young couples in and around Moscow who called us their lifeline. They were so desperate about their circumstances. They said our visits gave them hope that they were not forgotten, that they would one day be free.

When the Iron Curtain fell, many of these families came to the United States to live the American Dream of religious liberty and personal freedom. Over 1 million more resettled in Israel. The historic human rights campaign to free Soviet Jewry was built on decades of activism. Launched in the 1960s by groups like the American Jewish Conference on Soviet Jewry and the Student Struggle for Soviet Jewry, it galvanized human rights leaders around the United States and the world. The movement helped build the momentum for the adoption of the Helsinki Accords and the passage of the Jackson-Vanik Amendment, which, for the first time, linked trade policy and human rights.

Here in Congress, we founded the Congressional Coalition for Soviet Jews, and my wife Janet helped organize and found the Congressional Wives for Soviet Jewry. Other organizations, like the National Conference on Soviet Jewry and the Union of Councils for Soviet Jewry are still at work today fighting anti-Semitism and safeguarding the religious freedom of Jews in Russia and other parts of the former Soviet Union.

Today, we celebrate the 20th anniversary of the Freedom Rally with pride in the history and accomplishments of the effort to free Soviet Jews. Let it serve as a lasting reminder that we have an obligation to sustain the fight against political and religious repression wherever it exists.

Mr. Speaker, I urge support for this resolution.

Mr. DUNCAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for yielding and for his leadership on this important issue.

Mr. Speaker, I rise in support of this resolution and in support of the human

rights movements worldwide. This movement for Soviet Jewry demonstrated that a small group of people who are dedicated and committed to principle can make an enormous difference, not only in their home countries but throughout the world.

Just this past weekend, I attended a meeting in Philadelphia where Natan Sharansky spoke. Sharansky has been a hero to so many of us in the United States in his struggle for freedom from Soviet oppression. He and his fellow refusniks embody the spirit of determination and unbelievable courage to stand up for human rights and freedom and demand that Soviet Jews be able to leave the Soviet Union and immigrate to Israel or the United States or other countries of their choice.

Sharansky told us the movement for Soviet Jewry not only freed him and other refusniks, but that it set in motion the process that ultimately brought down the Soviet Union. By demanding human rights for some, we hastened the demise of one of the most repressive, most dictatorial regimes in history.

This movement demonstrated that human rights questions do not exist in a vacuum separate from larger questions of global politics or trade. We have a tremendous capacity to be global leaders by tying questions of human rights to other issues that we deal with in the international arena, whether in trade or the environment or immigration policy. While we do business with other countries, we should not, we must not, turn a blind eye to human rights abuses. It is as true today as it was 40 years ago.

While human rights are trampled on in so many parts of the world, from Darfur, North Korea, to the Arab world, we look to the movement for Soviet Jews as a shining example of how we as a country can succeed in bringing human rights issues to light through citizen activism for the greater good.

Mr. Speaker, when I was in Philadelphia listening to Natan Sharansky, they showed films of the March on Washington for Soviet Jewry, and it put me in mind of the fact that Members like Mr. WAXMAN who were here 20 years ago were in the forefront of this fight.

As a point of personal privilege, the next speaker on our side of the aisle, Mr. ELIOT ENGEL, Congressman from New York, before he was a Member of Congress, he was on that stage fighting for the basic human rights and dignity of Soviet Jews and human rights worldwide, as was our very good friend JERRY NADLER.

Mr. Speaker, with that, I yield back, and I thank the gentleman once again for bringing this to the floor of the House for a vote.

Mr. DUNCAN. Mr. Speaker, we have no other speakers on this side, so I will simply urge support for this resolution and yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my friend from Missouri, and I rise in strong support of H. Res. 759, which recognizes the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C.

The gentlewoman from Nevada (Ms. BERKLEY) is so right when she says that these rallies inspired the cause of human rights all over the world. And as we fight for human rights all over the world, we must continue to fight for human rights wherever bad things raise their ugly heads.

□ 1615

For decades, Jews in the Soviet Union faced serious restrictions on their right to practice their faith. In response, a campaign developed in the United States and around the world to pressure the Soviets to end the abuses and permit their Jewish population to emigrate. In 1964, the American Jewish Conference on Soviet Jewry was founded to spearhead a national campaign on behalf of Soviet Jewry. Israel's victory in the 1967 6-Day War inspired Soviet Jews to intensify their efforts to win the right to emigrate to Israel and other places, but the Soviets followed with an anti-Zionist propaganda campaign in the state-controlled mass media and a crackdown on Jewish autonomy.

A key event in the campaign to free the Soviet Jews occurred in 1982 when President Reagan enacted Public Law 97-157, expressing the sense of the Congress that the Soviet Union should cease its repressive actions against those individuals who seek the freedom to emigrate or to practice their religious or cultural traditions. This law drew special attention to the hardships and discrimination imposed upon the Jewish community in the Soviet Union.

After so many years of captivity, the Supreme Soviet passed a law in 1991 that codified the right of every Soviet citizen to emigrate, precipitating massive emigration by Jews from the Soviet Union, primarily to Israel and the United States. The hundreds of thousands of immigrants from the Soviet Union and former Soviet republics have greatly enriched their new-found homes in areas as diverse as business, science, the arts, politics, and philanthropy.

As Ms. BERKLEY mentioned, I was proud to be part of the effort to liberate the Jews of the Soviet Union and remember the historic Freedom Sunday Rally for Soviet Jews in Washington, DC 20 years ago before I was a Member of Congress. I remember meeting Natan, then Anatoly Sharansky, at the gathering of approximately 250,000 people prior to the start of the Reagan-Gorbachev summit. This event helped increase the awareness of the plight of

Soviet Jews throughout the world. Earlier, I demonstrated in front of the Soviet mission to the U.N. in New York in an effort to demonstrate how deeply I felt about religious freedom and the right of the Jews of the Soviet Union to emigrate.

In conclusion, I urge my colleagues to support H. Res. 759 and remember the campaign to liberate the Jews of the former Soviet Union. And, again, may we have many, many more resolutions like this to help all oppressed people all over the world.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H. Res. 759, introduced by the gentleman from California (Mr. WAXMAN), marking the 40th anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th anniversary of the Freedom Sunday Rally for Soviet Jewry on the National Mall in Washington, DC.

Mr. Speaker, in 1967 the plight of Soviet Jews was severe and largely unknown to the outside world. State-sponsored anti-Zionism and a widespread culture of anti-Semitism made daily life difficult for the millions of Jews living in the Soviet Union. Worst of all, these Jews had no right to leave the country for more welcoming parts of the world, namely, Israel and the United States.

Mr. Speaker, in answer to this reality, 1967 saw the rise of an organized movement to rescue the Soviet Jews, the Mass Movement for Soviet Jewish Freedom. Looking back 40 years later, we can all chart the profound success of that movement which lifted hundreds of thousands of people out of persecution and poverty and into freedom. Beginning in 1971, this movement made possible the mass exodus of Soviet Jews from the Soviet Union to the shores of Israel, the United States and elsewhere.

Mr. Speaker, I am gratified to represent the largest community of former Soviet emigres in the United States, and I have the great fortune of knowing many of those leaders and entrepreneurs who owe their livelihoods and freedom to the success of that movement organized in 1967.

The former Soviet Jewish community of Brooklyn, New York, from Ukraine, Belarus, Russia, Uzbekistan and elsewhere has returned the humanity and kindness shown to them years before in their new capacity as industrious, law-abiding, and dynamic members of American society. In neighborhoods like Brighton Beach, Coney Island and Bensonhurst, you can witness every day how hard they have worked in order to secure happiness for their families and how they strive to give back to the Nation that rescued them from persecution.

Mr. Speaker, no discussion of this movement of Soviet Jews would be complete without mention of Jacob

Birnbaum, an exceptional leader and human being who worked night and day to bring this issue to the forefront of our minds so many years ago. Earlier this year, I was very proud to introduce a resolution honoring Mr. Birnbaum, and I am pleased that Congress passed it, thereby bringing official recognition to a leader who made an incalculable difference for the lives of many thousands of Soviet Jews and others throughout the world.

In addition to the courageous work of Mr. Birnbaum, tribute ought to be paid to the other pioneers and national organizations who fought so strenuously for the liberation of Soviet Jews, people like Malcolm Hoenlein who is now executive vice president of the Conference of Presidents of American Jewish Organizations but who pioneered much of the work in the Soviet Jewish movement.

I am pleased today to join with my colleagues to mark the accomplishments of the Soviet Jewry movement and to celebrate the 20th anniversary of the Freedom Sunday Rally for Soviet Jews and the 40th anniversary of the founding of the movement to free Soviet Jews. I am proud to have been part of this movement beginning in the late 1960s in many marches and demonstrations and picketings of the Soviet embassy. I was here on the Mall 20 years ago.

Mr. Speaker, I urge my colleagues to support the resolution.

Mr. CLAY. Mr. Speaker, at this time we have no additional speakers. I urge my colleagues also to support the 40th anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th anniversary of the Freedom Sunday Rally for Soviet Jewry by unanimously adopting this resolution.

Mr. WEXLER. Mr. Speaker, I rise today to recognize the 40th anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall here in Washington. This mass advocacy movement formed following the anti-Zionist campaign launched by the Soviet government in 1967 and worked tirelessly for over two decades to gain Soviet Jews the freedom to emigrate from the Soviet Union, where they had been held as virtual prisoners since World War II.

In 1987, on the eve of the Reagan-Gorbachev summit, more than 250,000 people gathered in Washington to rally for the plight of Soviet Jews. This event was a major turning point in compelling the Soviet government to open its doors for millions of Soviet Jewish émigrés who were being held prisoner in their own country. Finally in 1991, the Supreme Soviet passed a law codifying the right of every Soviet citizen to emigrate, leading to a massive emigration by Jews from the Soviet Union, mostly to Israel and the United States.

As a sponsor of House Resolution 759, I want to recognize these two anniversaries and praise the efforts of all the organizations involved in this important movement, including the American Jewish Conference on Soviet Jewry, the Student Struggle for Soviet Jewry, and the Congressional Coalition for Soviet Jews. These and many other organizations

were integral in securing freedom for Soviet Jews, and their work serves as an example for all who are seeking religious and political freedom around the world.

Mr. Speaker, these two anniversaries are also a reminder about the ongoing struggle for religious freedom and the need to continue to battle against anti-Semitism, bigotry and discrimination wherever it occurs. The United States as the world's only superpower and oldest democracy has an obligation and a responsibility to continue to advocate for those individuals suffering at the hands of oppressive governments—whether it is in Darfur, Sudan or in Burma. Today, millions around the globe cling to the hope that one day they will be liberated and freed from oppression. To this end, Congress and the American people must remain steadfast in our determination to protect religious and human rights matching the willpower and vigilance of those who fought so hard for decades to liberate Soviet Jewry from the yoke of tyranny and repression.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and agree to the resolution, H. Res. 759.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3307, by the yeas and nays;

H.R. 3446, by the yeas and nays;

H. Res. 778, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DENNIS P. COLLINS POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3307, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 3307.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 18, as follows:

[Roll No. 1018]

YEAS—414

Abercrombie	Akin	Andrews
Ackerman	Allen	Arcuri
Aderholt	Altmire	Baca

Bachmann	Doyle	Knollenberg
Bachus	Drake	Kuhl (NY)
Baird	Dreier	LaHood
Baker	Duncan	Lamborn
Baldwin	Edwards	Lampson
Barrett (SC)	Ehlers	Langevin
Barrow	Ellison	Lantos
Bartlett (MD)	Ellsworth	Larsen (WA)
Barton (TX)	Emanuel	Larson (CT)
Bean	Emerson	Latham
Becerra	Engel	LaTourette
Berkley	English (PA)	Lee
Berman	Eshoo	Lewis (CA)
Berry	Etheridge	Lewis (GA)
Biggert	Everett	Lewis (KY)
Bilbray	Fallin	Linder
Bilirakis	Farr	Lipinski
Bishop (GA)	Fattah	LoBiondo
Bishop (NY)	Feeney	Loeback
Bishop (UT)	Ferguson	Lofgren, Zoe
Blackburn	Filner	Lowe
Blumenauer	Flake	Lucas
Blunt	Forbes	Lungren, Daniel
Boehner	Fortenberry	E.
Bonner	Fossella	Lynch
Bono	Fox	Mack
Boozman	Frank (MA)	Mahoney (FL)
Boren	Franks (AZ)	Maloney (NY)
Boswell	Frelinghuysen	Manzullo
Boucher	Gallegly	Marchant
Boustany	Garrett (NJ)	Markey
Boyd (FL)	Boyd (FL)	Matheson
Boyd (KS)	Giffords	Matsui
Brady (PA)	Gilchrest	McCarthy (CA)
Brady (TX)	Gillibrand	McCarthy (NY)
Braley (IA)	Gingrey	McCaul (TX)
Broun (GA)	Gohmert	McCollum (MN)
Brown (SC)	Gonzalez	McCotter
Brown, Corrine	Goode	McCrery
Brown-Waite,	Goodlatte	McDermott
Ginny	Gordon	McGovern
Buchanan	Granger	McHenry
Burgess	Graves	McHugh
Burton (IN)	Green, Al	McIntyre
Butterfield	Green, Gene	McKeon
Buyer	Grijalva	McMorris
Calvert	Gutierrez	Rodgers
Camp (MI)	Hall (NY)	McNerney
Campbell (CA)	Hall (TX)	McNulty
Cannon	Hare	Meek (FL)
Cantor	Harman	Meeks (NY)
Capito	Hastert	Melancon
Capps	Hastings (FL)	Mica
Capuano	Hastings (WA)	Michaud
Cardoza	Hayes	Miller (FL)
Carnahan	Heller	Miller (MI)
Carney	Hensarling	Miller (NC)
Carter	Herger	Miller, Gary
Castle	Hereth Sandlin	Miller, George
Castor	Higgins	Mitchell
Chabot	Hill	Mollohan
Chandler	Hinche	Moore (KS)
Clarke	Hirono	Moore (WI)
Clay	Hobson	Moran (KS)
Cleaver	Hodes	Moran (VA)
Clyburn	Hoekstra	Murphy (CT)
Coble	Holden	Murphy, Patrick
Cohen	Holt	Murphy, Tim
Cole (OK)	Honda	Murtha
Conaway	Hooley	Musgrave
Conyers	Hoyer	Myrick
Cooper	Inglis (SC)	Nadler
Costa	Inslee	Napolitano
Costello	Israel	Neal (MA)
Courtney	Issa	Neugebauer
Cramer	Jackson (IL)	Nunes
Crenshaw	Jackson-Lee	Oberstar
Crowley	(TX)	Obey
Cuellar	Johnson (GA)	Olver
Cummings	Johnson (IL)	Ortiz
Davis (AL)	Johnson, E. B.	Pallone
Davis (CA)	Johnson, Sam	Pascarell
Davis (IL)	Jones (NC)	Pastor
Davis (KY)	Jones (OH)	Payne
Davis, David	Jordan	Pearce
Davis, Lincoln	Kagen	Pence
Davis, Tom	Kanjorski	Perlmuter
DeFazio	Kaptur	Peterson (MN)
DeGette	Keller	Peterson (PA)
DeLauro	Kennedy	Petri
Dent	Kildee	Pickering
Diaz-Balart, L.	Kilpatrick	Pitts
Diaz-Balart, M.	Kind	Platts
Dicks	King (IA)	Poe
Dingell	King (NY)	Pomeroy
Doggett	Kingston	Porter
Donnelly	Kirk	Price (GA)
Doolittle	Klein (FL)	Price (NC)
	Kline (MN)	Pryce (OH)

Putnam	Scott (GA)	Tiberi
Radanovich	Scott (VA)	Tierney
Rahall	Sensenbrenner	Towns
Ramstad	Serrano	Tsongas
Rangel	Sessions	Turner
Regula	Sestak	Udall (CO)
Rehberg	Shadegg	Udall (NM)
Reichert	Shays	Upton
Renzi	Shea-Porter	Van Hollen
Reyes	Sherman	Velázquez
Reynolds	Shimkus	Visclosky
Richardson	Shuler	Walberg
Rodriguez	Shuster	Walden (OR)
Rogers (AL)	Sires	Walsh (NY)
Rogers (KY)	Skelton	Walz (MN)
Rogers (MI)	Slaughter	Wamp
Rohrabacher	Smith (NE)	Wasserman
Ros-Lehtinen	Smith (NJ)	Schultz
Roskam	Smith (TX)	Waters
Ross	Smith (WA)	Watson
Rothman	Snyder	Watt
Roybal-Allard	Solis	Waxman
Royce	Souder	Weiner
Ruppersberger	Space	Welch (VT)
Rush	Spratt	Weldon (FL)
Ryan (OH)	Stearns	Westmoreland
Ryan (WI)	Stupak	Wexler
Salazar	Sullivan	Whitfield
Sali	Sutton	Wicker
Sánchez, Linda	Tancred	Wilson (NM)
T.	Tanner	Wilson (SC)
Sanchez, Loretta	Tauscher	Wolf
Sarbanes	Taylor	Woolsey
Saxton	Terry	Wu
Schakowsky	Thompson (CA)	Wynn
Schiff	Thompson (MS)	Yarmuth
Schmidt	Thornberry	Young (AK)
Schwartz	Tiahrt	Young (FL)

NOT VOTING—18

Alexander	Hulshof	Marshall
Carson	Hunter	Paul
Cubin	Jefferson	Simpson
Culberson	Jindal	Stark
Deal (GA)	Kucinich	Weller
Hinojosa	Levin	Wilson (OH)

□ 1648

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MICHAEL W. SCHRAGG POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3446, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 3446.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 17, as follows:

[Roll No. 1019]

YEAS—415

Abercrombie	Barrett (SC)	Bishop (UT)
Ackerman	Barrow	Blackburn
Aderholt	Bartlett (MD)	Blumenauer
Akin	Barton (TX)	Blunt
Allen	Bean	Boehner
Altmire	Becerra	Bonner
Andrews	Berkley	Bono
Arcuri	Berman	Boozman
Baca	Berry	Boren
Bachmann	Biggert	Boswell
Bachus	Bilbray	Boucher
Baird	Bilirakis	Boustany
Baker	Bishop (GA)	Boyd (FL)
Baldwin	Bishop (NY)	Boyd (KS)

Brady (PA)	Gilchrest	McCarthy (CA)	Saxton	Space	Walden (OR)	Brady (TX)	Gingrey	McDermott
Brady (TX)	Gillibrand	McCarthy (NY)	Schakowsky	Spratt	Walsh (NY)	Braley (IA)	Gohmert	McGovern
Braley (IA)	Gingrey	McCaul (TX)	Schiff	Stark	Walz (MN)	Broun (GA)	Gonzalez	McHenry
Broun (GA)	Gohmert	McCollum (MN)	Schmidt	Stearns	Wamp	Brown (SC)	Goode	McHugh
Brown (SC)	Gonzalez	McCotter	Stupak	Stupak	Wasserman	Brown, Corrine	Goodlatte	McIntyre
Brown, Corrine	Goode	McCrery	Sullivan	Sullivan	Schultz	Brown-Waite,	Gordon	McKeon
Brown-Waite,	Goodlatte	McDermott	Scott (VA)	Sutton	Waters	Ginny	Granger	McMorris
Ginny	Gordon	McGovern	Sensenbrenner	Tancredo	Watson	Buchanan	Graves	Rodgers
Buchanan	Granger	McHenry	Serrano	Tanner	Watt	Burgess	Green, Al	McNerney
Burgess	Graves	McHugh	Sessions	Tauscher	Waxman	Burton (IN)	Green, Gene	McNulty
Burton (IN)	Green, Al	McIntyre	Sestak	Taylor	Weiner	Butterfield	Grijalva	Meek (FL)
Butterfield	Green, Gene	McKeon	Shadegg	Terry	Welch (VT)	Buyer	Gutierrez	Meeks (NY)
Buyer	Grijalva	McMorris	Shays	Thompson (CA)	Weldon (FL)	Calvert	Hall (NY)	Melancon
Calvert	Gutierrez	Rodgers	Shea-Porter	Thompson (MS)	Westmoreland	Camp (MI)	Hall (TX)	Mica
Camp (MI)	Hall (NY)	McNerney	Sherman	Thornberry	Wexler	Campbell (CA)	Hare	Michaud
Campbell (CA)	Hall (TX)	McNulty	Shimkus	Tiahrt	Whitfield	Cannon	Harman	Miller (FL)
Cannon	Hare	Meek (FL)	Shuler	Tiberi	Wicker	Cantor	Hastert	Miller (MI)
Cantor	Harman	Meeks (NY)	Shuster	Tierney	Wilson (NM)	Capito	Hastings (FL)	Miller (NC)
Capito	Hastert	Melancon	Sires	Tsongas	Wilson (SC)	Capps	Hastings (WA)	Miller, Gary
Capps	Hastings (FL)	Mica	Skelton	Turner	Wolf	Capuano	Hayes	Miller, George
Capuano	Hastings (WA)	Michaud	Slaughter	Udall (CO)	Woolsey	Cardoza	Heller	Mitchell
Cardoza	Hayes	Miller (FL)	Smith (NE)	Udall (NM)	Wu	Carnahan	Hensarling	Mollohan
Carnahan	Heller	Miller (MI)	Smith (NJ)	Upton	Wynn	Carney	Herger	Moore (KS)
Carney	Hensarling	Miller (NC)	Smith (TX)	Van Hollen	Yarmuth	Carter	Herseeth Sandlin	Moore (WI)
Carter	Herger	Miller, Gary	Smith (WA)	Velázquez	Young (AK)	Castle	Higgins	Moran (KS)
Castle	Herseeth Sandlin	Miller, George	Snyder	Visclosky	Young (FL)	Chabot	Hill	Moran (VA)
Castor	Higgins	Mitchell	Solis	Walberg	Chandler	Chandler	Hinchey	Murphy (CT)
Chabot	Hill	Mollohan	Souder		Clarke	Clarke	Hobson	Murphy, Patrick
Chandler	Hinchey	Moore (KS)			Clay	Cleaver	Hodes	Murphy, Tim
Clarke	Hirono	Moore (WI)	Alexander	NOT VOTING—17	Clyburn	Coble	Hoekstra	Murtha
Clay	Hobson	Moran (KS)	Carson	Hulshof	Coble	Cohen	Holden	Musgrave
Cleaver	Hodes	Moran (VA)	Cubin	Jefferson	Cohen	Cole (OK)	Holt	Myrick
Clyburn	Hoekstra	Murphy (CT)	Culberson	Jindal	Cole (OK)	Conaway	Honda	Nadler
Coble	Holden	Murphy, Patrick	Deal (GA)	Johnson, Sam	Conaway	Conyers	Hookey	Napolitano
Cohen	Holt	Murphy, Tim	Hinojosa	Kucinich	Coopers	Cooper	Hoyer	Neal (MA)
Cole (OK)	Honda	Murtha		Levin	Cooper	Costa	Hunter	Neugebauer
Conaway	Hookey	Musgrave			Costa	Costello	Inglis (SC)	Nunes
Conyers	Hoyer	Myrick			Costello	Courtney	Inslee	Oberstar
Cooper	Hunter	Nadler			Cramer	Crenshaw	Israel	Obey
Costa	Inglis (SC)	Napolitano			Crenshaw	Crowley	Issa	Olver
Costello	Inslee	Neal (MA)			Crowley	Cuellar	Jackson (IL)	Ortiz
Courtney	Israel	Neugebauer			Cuellar	Cummings	Jackson-Lee	Pallone
Cramer	Issa	Nunes			Cummings	Davis (AL)	(TX)	Pascarell
Crenshaw	Jackson (IL)	Oberstar			Davis (AL)	Davis (CA)	Johnson (GA)	Pastor
Crowley	Jackson-Lee	Obey			Davis (CA)	Davis (IL)	Johnson (IL)	Payne
Cuellar	(TX)	Olver			Davis (IL)	Davis (KY)	Johnson, E. B.	Pearce
Cummings	Johnson (GA)	Ortiz			Davis (KY)	Davis, David	Jones (NC)	Pence
Davis (AL)	Johnson (IL)	Pallone			Davis, David	Davis, Lincoln	Jones (OH)	Perlmutter
Davis (CA)	Johnson, E. B.	Pascarell			Davis, Tom	Davis, Tom	Jordan	Peterson (MN)
Davis (IL)	Jones (NC)	Pastor			DeFazio	DeFazio	Kagen	Peterson (PA)
Davis (KY)	Jones (OH)	Payne			DeGette	DeGette	Kanjorski	Petri
Davis, David	Jordan	Pearce			DeLauro	DeLauro	Kapoor	Pickering
Davis, Lincoln	Kagen	Pence			Dent	Dent	Keller	Pitts
Davis, Tom	Kanjorski	Perlmutter			DeLauro	Diaz-Balart, L.	Kilpatrick	Platts
DeFazio	Kaptur	Peterson (MN)			Diaz-Balart, M.	Dicks	Kind	Poe
DeGette	Keller	Peterson (PA)			Dicks	Dingell	King (IA)	Pomeroy
Delahunt	Kennedy	Petri			Dingell	Doggett	King (NY)	Porter
DeLauro	Kildee	Pickering			Doggett	Donnelly	King (NY)	Price (GA)
Dent	Kilpatrick	Pitts			Donnelly	Doolittle	Kirk	Price (NC)
Diaz-Balart, L.	Kind	Platts			Doolittle	Doyle	Klein (FL)	Pryce (OH)
Diaz-Balart, M.	King (IA)	Poe			Doyle	Drake	Kline (MN)	Putnam
Dicks	King (NY)	Pomeroy			Drake	Dreier	Knollenberg	Radanovich
Dingell	Kingston	Porter			Dreier	Duncan	LaHood	Rahall
Doggett	Kirk	Price (GA)			Duncan	Edwards	LaHood	Ramstad
Donnelly	Klein (FL)	Price (NC)			Edwards	Ehlers	Lamborn	Rangel
Doolittle	Kline (MN)	Pryce (OH)			Ehlers	Ellison	Lampson	Regula
Doyle	Knollenberg	Putnam			Ellison	Ellsworth	Langevin	Rehberg
Drake	Kuhl (NY)	Radanovich			Ellsworth	Emanuel	Lantos	Reichert
Dreier	LaHood	Rahall			Emanuel	Engel	Larsen (WA)	Renzi
Duncan	Lamborn	Ramstad			Engel	English (PA)	Larsen (CT)	Reyes
Edwards	Lampson	Rangel			Eshoo	Etheridge	Latham	Reynolds
Ehlers	Langevin	Regula			Etheridge	Everett	LaTourette	Richardson
Ellison	Lantos	Rehberg			Everett	Fallin	Lee	Rodriguez
Ellsworth	Larsen (WA)	Reichert			Fallin	Farr	Lewis (CA)	Rogers (AL)
Emanuel	Larson (CT)	Renzi			Farr	Fattah	Lewis (GA)	Rogers (KY)
Emerson	Latham	Reyes			Fattah	Feeney	Lewis (KY)	Rogers (MI)
Engel	LaTourette	Reynolds			Feeney	Ferguson	Linder	Rohrabacher
English (PA)	Lee	Richardson			Ferguson	Filner	Lipinski	Ros-Lehtinen
Eshoo	Lewis (CA)	Rodriguez			Filner	Flake	LoBiondo	Roskam
Etheridge	Lewis (GA)	Rogers (AL)			Flake	Forbes	Loebach	Ross
Everett	Lewis (KY)	Rogers (KY)			Forbes	Fortenberry	Loebach	Rothman
Fallin	Linder	Rogers (MI)			Fortenberry	Fossella	Lofgren, Zoe	Roybal-Allard
Farr	Lipinski	Rohrabacher			Fossella	Fox	Lowey	Royce
Fattah	LoBiondo	Ros-Lehtinen			Fox	Frank (MA)	Lucas	Ruppersberger
Feeney	Loebach	Roskam			Frank (MA)	Franks (AZ)	Lungren, Daniel	Rush
Ferguson	Lofgren, Zoe	Ross			Franks (AZ)	Frelinghuysen	E.	Ryan (OH)
Filner	Lowey	Rothman			Frelinghuysen	Gallegly	Mack	Ryan (WI)
Flake	Lucas	Roybal-Allard			Gallegly	Garrett (NJ)	Mahoney (FL)	Salazar
Forbes	Lungren, Daniel	Royce			Garrett (NJ)	Gerlach	Maloney (NY)	Sali
Fortenberry	E.	Ruppersberger			Gerlach	Giffords	Manzullo	Sanchez, Linda
Fossella	Lynch	Rush			Giffords	Gilchrest	Marchant	T.
Fox	Mack	Ryan (OH)			Gilchrest	Gillibrand	Matheson	Sanchez, Loretta
Frank (MA)	Mahoney (FL)	Ryan (WI)			Gillibrand		Matsui	Sarbanes
Franks (AZ)	Maloney (NY)	Salazar						Sarbanes
Frelinghuysen	Manzullo	Sali						Saxton
Gallegly	Marchant	Sanchez, Linda						Schakowsky
Garrett (NJ)	Markey	T.						Schiff
Gerlach	Matheson	Sanchez, Loretta						Schmidt
Giffords	Matsui	Sarbanes						Schwartz
								Scott (GA)

NOT VOTING—17

THE SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1656

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE FIRST RESPONDERS AND SUPPORTING THE VICTIMS OF THE SOUTHERN CALIFORNIA WILDFIRES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 778, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and agree to the resolution, H. Res. 778.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 1020]

YEAS—409

Abercrombie	Barrow	Blackburn
Ackerman	Bartlett (MD)	Blumenauer
Aderholt	Barton (TX)	Blunt
Akin	Bean	Boehner
Allen	Becerra	Bonner
Altmire	Berkley	Bono
Andrews	Berman	Boozman
Arcuri	Berry	Boren
Baca	Biggert	Boswell
Bachus	Billbray	Boucher
Baird	Bilirakis	Boustany
Baker	Bishop (GA)	Boyd (FL)
Baldwin	Bishop (NY)	Boyda (KS)
Barrett (SC)	Bishop (UT)	Brady (PA)

Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns

Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)

Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—23

Alexander
Bachmann
Carson
Castor
Cubin
Culberson
Deal (GA)
Hinojosa

Hirono
Hulshof
Jefferson
Jindal
Johnson, Sam
Kaptur
Kucinich
Levin

Lynch
Marshall
McCarthy (NY)
Paul
Simpson
Weller
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1703

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. STUPAK. Mr. Speaker, today I was detained and unable to vote on the final passage of the Small Business Contracting Program Improvements Act.

Had I been present, I would have voted "yes" on H.R. 3867, the Small Business Contracting Program Improvements Act, House rollcall vote 1017.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3547

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3547.

The SPEAKER pro tempore (Mr. SALAZAR). Is there objection to the request of the gentleman from Georgia?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3547

Mr. CUMMINGS. Mr. Speaker, I ask that my name be removed as a cosponsor of H.R. 3547.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3547

Mr. WYNN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3547.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3547

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that I have my name removed as a cosponsor of H.R. 3547.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

SCHEDULE FOR THE REMAINDER
OF THIS WEEK

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I'd like to address the schedule for the rest of this week. Regular Members don't have a chance to talk. It's usually the majority leader and our chief deputy whip. But I did this a couple of weeks ago when we left at 5 o'clock. Today it's another 5 o'clock ending session.

We have really three bills left to address this week, the Hard Rock Mining and Reclamation Act, which we could do tonight, Trade Globalization Assistance Act, which we could do tomorrow morning, and we could appoint our conferees tomorrow morning, mid-afternoon, which would allow many Members to be able to get home with their family.

I have an 8-year-old son. It might be nice to go trick-or-treating with him.

There's no reason we have to be here for 2 days to conduct this type of work. I'm embarrassed for this House and the time spent here doing no work.

FLAG CONTROVERSY AT
NATIONAL CEMETERIES

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, when a veteran is buried in one of our national cemeteries, the flag draped over the warrior's coffin is neatly folded and given to the warrior's family. As the flag is folded, a statement is made as to what each fold represents. Two of the folds refer to Jews and Christians in our military. But that ceremony has been sabotaged by the National Cemetery Administration. Some bureaucrat banned the recitation of the meaning of the folds in the flag at all national cemeteries because someone complained about the ceremony being religious.

To ban this time-honored tradition which recognizes life, gives tribute to

our country and to our Armed Forces, honors women, recognizes fathers, and reminds us of our national motto "In God We Trust" is un-American and, frankly, it's stupid.

I've been to funerals at national cemeteries of fallen troops from my district. I've heard the recitation of the meaning of each fold. I've watched tearful mothers and fathers and spouses hold that flag next to their chest, grateful for every fold.

The Washington bureaucrat that issued this absurd ruling should withdraw the ban. It's unpatriotic, irreverent and disrespectful of our war dead.

And that's just the way it is.

INTERNET TAXATION
MORATORIUM

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today on the floor of the House we addressed the question of Internet taxation moratorium, a bill that came out of my House Judiciary Committee, the Judiciary Committee which I sit on under the leadership of JOHN CONYERS.

Because I was unavoidably detained, I wanted to congratulate the passage of this bill and to support the moratorium as relates to grandfathering in those States that already had the utilization of Internet taxation, such as my State of Texas.

We know that this will take a long debate on this question. We understand that there are issues on both sides. Those who are in the Internet superhighway, who want a free flowing of information and ability to buy and sell, that is a reasonable request.

But we also know that more and more Americans will be moving toward Internet shopping and utilization, and for many local jurisdictions and States, this is a source of income that is well needed for health care and education.

I support the Internet resolution that passed today, and I am grateful for the grandfathering of the State of Texas.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3547

Mr. BISHOP of Georgia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3547.

The SPEAKER pro tempore (Mr. MCNERNEY). Is there objection to the request of the gentleman from Georgia?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PRESIDENT BUSH'S SUPPLEMENTAL \$200 BILLION REQUEST IS A STEP IN THE WRONG DIRECTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, on Monday, October 22, 2007, President Bush requested an additional \$46 billion for U.S. operations in Iraq and Afghanistan. This is on top of the original \$150.5 billion requested at the beginning of Fiscal Year 2008, bringing the total amount requested to \$196.4 billion, more than 10 times the original 50 to \$60 billion cost estimated by the White House in 2002.

A Congressional Budget Office, CBO, estimate that was released on October 24 determined that the wars in Iraq and Afghanistan could cost more than \$2.4 trillion, amounting to nearly \$8,000 for every American through the next decade. Notably, the war in Iraq accounts for about 70 percent of the \$2.4 trillion cost estimate.

Meanwhile, the administration is satisfied with continuing our military operations in Iraq, functioning on borrowed time and largely borrowed money. The result is a limited budget to advance our priorities at home, like aiding the increasingly unstable real estate market and providing adequate health care for our children.

Mr. Speaker, the war in Iraq continues to be mismanaged. As a senior member of the Oversight and Government Reform Committee, I received testimony from Secretary Rice on October 25 regarding corruption in Iraq, private contractors and the U.S. Embassy in Baghdad. Unfortunately, I must say that I walked away with very few answers.

There were very few, if any answers at all, for why President Maliki issued an executive order to stay the corruption investigation of his cousin, the Minister of Transportation.

There was no answer for why individuals in Secretary Rice's own department, such as Stuart Bowen, the Special Inspector General for Iraq Reconstruction, have described U.S. anticorruption programs as lacking a strategic plan and corruption levels amounting to a "secondary insurgency" that threatens to undermine U.S. and Iraqi efforts to build a stable democracy.

There was no answer for why, according to a recent Government Accountability Office report, the United States Embassy in Baghdad, "does not have a firm plan or strategy for addressing the next steps in the development of the system," despite the substantial U.S. investment.

There was no answer for why Secretary Rice has permitted contractors in Iraq, such as Blackwater, to escape justice for crimes they have allegedly committed, blaming it on simply a hole in the United States law, while providing them with the stamp of impunity.

And finally, Mr. Speaker, Secretary Rice provided us with no answer for why, despite the United States spending over \$300 million in taxpayer dollars during the course of 2 years to improve the capacity of Iraq's ministries. And with \$255 million more sought for next year, progress has been stalled, not only by poor security, but also by pervasive corruption, a shortage of competent personnel and sectarian and political control of appointments.

Yet, despite all of these shortcomings, despite State Department's lack of ability to forestall corruption in the Iraqi Government, despite its mismanagement of paramilitary contractors, and despite the President's overall failed policy in Iraq, the President has come to Congress once again in the 11th hour requesting billions of dollars more in funding for the wars both in Iraq and Afghanistan.

Mr. Speaker, under the presentment clause of the United States Constitution, Congress, having the power of the purse, has the responsibility to execute fiscal constraint and fully investigate such war funding requests, not to act with a rubber stamp, especially when the President refuses to provide adequate health care funding for our Nation's neediest children.

Therefore, as we consider the President's war budget request, we must listen to the overwhelming majority of the American people and challenge President Bush to shift from failed policies in Iraq to a strategy that is fundamentally diplomatic and weighs heavily on the assistance of the international community. We owe this to over 3,800 brave soldiers who have lost their lives in Iraq to date. We also owe this to our hardworking constituents whose tax dollars have in part continued to fund the war in Iraq.

□ 1715

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Washington (Mr. HASTINGS) is recognized for 5 minutes.

(Mr. HASTINGS of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

2007 COMMEMORATIVE COINS: LITTLE ROCK CENTRAL HIGH SCHOOL DESEGREGATION AND JAMESTOWN 400TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. Mr. Speaker, passion for collecting things as children is something that we have all gone through. Each of us has perhaps collected coins or stamps. Not everyone collects stamps, not everyone collects coins, not everyone collects insects; but all of us appreciate the value of courage. And I rise tonight, Mr. Speaker, to talk about a coin that is now available for sale on the usmint.gov Web site, the commemorative coin honoring the bravery and courage and great public service of the Little Rock Nine, the nine African American students that desegregated Little Rock Central High School in 1957. This year is the 50th anniversary of their service.

This side of the coin depicts a group of school children going to school with no other purpose than to get educated and act like kids. We sometimes forget that the Little Rock Nine 50 years ago were kids. They were children, demonstrating great bravery in trying to overcome the obstacles imposed by adults. And the coin on this side says "Liberty." The nine stars are to represent the Little Rock Nine. And it says: "Desegregation in Education, 2007, In God We Trust."

The reverse side of this coin, it is a \$1 coin, depicts Little Rock Central High School itself. It is still considered one of the Nation's most beautiful high schools.

As you know, Mr. Speaker, each year the Congress may authorize two commemorative coins. One of the coins that we authorize for sale during calendar year 2007 is this coin honoring the 50th anniversary of the desegregation of Little Rock Central High School. The other one was by the late Representative Jo Ann Davis of Virginia honoring the 400th anniversary of the founding of Jamestown, our beloved colleague Jo Ann Davis, who recently passed away. Both coins tell a wonderful story.

I encourage the Members and encourage the public to go to the usmint.gov Web site and consider purchasing these coins as holiday presents, as a way to pass on the legacy of the story of the bravery of these nine students desegregating Little Rock Central High School.

One of the reasons I am interested in these coins being purchased at the usmint.gov Web site is because \$10 of

every coin purchased goes to support telling that story of Little Rock Central High School. It is now a national historic site. The school is still functioning, one of the great robust high schools in Arkansas. There is a national park visitors center there. The gas station that was there in 1957 has been restored across the street. So many ways to this story, but they can always use more money. There have been about 160,000 or so of these coins sold, and \$10 of every coin goes to help tell this story.

And this is a beautiful coin. When you see the coin itself, it's just exquisite in the detail. It is a silver dollar and they make wonderful presents. But, more importantly, they make a wonderful way of telling the legacy and telling the story of the bravery and courage of these nine children that are now adults, in their 60s, who overcame the prejudices that involved segregation of schools in 1957.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE MAN CALLED BILLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MEEKS) is recognized for 5 minutes.

Mr. MEEKS of New York. Mr. Speaker, it is with a sad heart that I address the House of Representatives this evening.

My cousin, the Reverend Willie "Billy" Boulware, was born on August 4, 1938, to the late Roscoe Meeks and Thomasina Boulware. He passed just yesterday.

Billy always knew he was loved. His growing years were strengthened by close knit families and communities. And so when it came time for him to go to high school, a place where many come into themselves, Billy was already poised to lead.

He attended Emmett Scott High School where he briefly played football, but found a zone of his own when he joined the school band. It was there that he gained an increased level of education and friends worth fighting for.

Reverend Boulware was a son of the South, and Billy knew of the inequities that existed but refused to allow the anger and disappointment that overtook some to become the fabric of his being. Instead, he clung to the lessons learned at home, the wonder of educating himself, the promise he saw in his friends, the people living lives of purpose, and of a love of life's journeys.

Billy attended Friendship Junior College and later Benedict College, where he received his bachelor of arts degree, then Winthrop College, where he got his master's. Later he would gain a master of divinity and doctorate of divinity from Mid-Atlantic Seminary.

A desire to learn and the warmth and smile that greeted everyone he met were Billy's hallmarks and trademarks. When you met Billy Boulware, you knew instantly there was nothing to fear. His welcoming spirit enveloped a room. Perhaps that's why he became a director of a Head Start program, an initiative that seeks to provide children good beginnings, or why he was chosen to direct an alternative high school in Rock Hill, a place where the young are sent in the hopes that they might be reshaped, redirected, and shown their promise.

And ever the student, my cousin Billy was also an assistant principal at Castle Heights Middle School, demonstrating by example of his own life that it's not necessarily the position you are in, but the character that lives inside the person holding whatever position.

Later Rev. Boulware held positions of commissioner of mental health, director of the York County Planning Commission, head of the Board of Elections for York County, hearing officer for the Rock Hill Hearing District, and a York County judge. Billy knew he couldn't guarantee things, but he knew he could play a part in the administration of justice. Time and again Billy chose to serve the people of his community. And all the while he maintained his interest in education sitting as a member of the board for Morris College.

There was no question that Billy knew love both at home and through the Holy Spirit. So it was really a continuation of his life's journey when he assumed the pastoral duties at Mount Olive Baptist Church. His love of God and his desire to live a committed life, buttressed by the love of his wife, Barbara, his love and partner for 45 years,

made it possible for him to pastor for those 35 years.

Even as Billy Boulware made himself available to his church family, he chaired the Board of Trustees of Friendship College. He supported his wife's dreams and encouraged his son, Wendell, through his medical degree. He told his little girl, Dietra, that she was born to be more as he encouraged her dream of working in the financial services industry. And when his daily guidance was no longer required, he placed himself wherever his children asked that he be.

Some might have viewed Billy as being saddled with much too much; but as I remember his ever-present smile, the enthusiasm you could hear in his voice, and the laughter that came from him when he spoke of a trip just taken with Barbara to visit his grandchildren or hearing him speak passionately of why grandparents matter in children's lives, I know Billy Boulware was "saddled" with nothing but the heart of love.

Billy was a man among men. He was a giant to his Barbara, Wendell, and Dietra, and to the rest of his family as well. He cared for his uncles, his aunts, his cousins, and would do anything he could to ensure all thrived. Billy's presence made you smile, and his laughter made you warm. His sure-footedness made you steadier, and the pride he expressed in me called me to work deliberately and with greater purpose.

This world has lost a great somebody in the being that was Billy Boulware. But there is no question in my mind that on October 29, 2007, the day Billy went home to his Father, there was great fanfare. He was greeted with the words, "Well done my good and faithful servant, well done!"

The greatest part of Billy Boulware still lives in all the persons whose lives he changed, and all the lives they changed, and the greater sense of humanity that exists because Billy lived. Until we meet again, let this CONGRESSIONAL RECORD stand as testimony that Billy Boulware was a great and faithful servant of God. Billy didn't just up space, he made a way for some, and broadened the horizon for many many more!!!!

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1730

TREASURY SECRETARY PAULSON AND THE SUBPRIME MARKET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, there was an article recently in Information Clearing House urging our country's leaders to exhibit leadership in these

times of economic crisis. And it was such a compelling article, I wanted to read part of it into the RECORD tonight.

It talks about some of the recent bloodbaths that we have seen on Wall Street that prove the trouble in our credit markets have not been relieved by the Fed's rate cuts. The Dow Jones slipped 367 points on the 20th anniversary of Black Monday, the stock market's biggest 1-day loss in history. And in the past week or so, Asian markets have plunged. Stocks are down sharply in Japan, Australia, Hong Kong, Indonesia, the Philippines, Taiwan, and South Korea. And there are ongoing problems being caused by what is happening in our subprime housing lending market.

"The sudden downturn in our stock market has provided a fitting backdrop for Treasury Secretary Paulson's appearance at the G-7 meetings here in Washington. Paulson has largely shrugged off the decline in housing and the growing volatility in the equities markets.

"What everyone at the meetings really wanted to know was why the United States destabilized the global economic system by selling hundreds of billions of dollars of worthless mortgage-backed securities to banks and pension funds around the world. 'Aren't there any regulations in the United States,' they asked? 'And how is Paulson going to make amends to the institutions and investors who lost their shirts in this massive mortgage scheme?' Unfortunately, the Treasury Secretary didn't address any of these questions. He offered no recommendations for fixing the problem. Indeed, I can tell you the Treasury Department isn't even offering public television ads and commercial ads in communities like my own that are suffering under the weight of these rising foreclosures.

Last month's net foreign influx of capital shows how quickly capital can evaporate when other countries lose confidence in us. In fact, foreign investors pulled \$163 billion out of U.S. securities and treasuries in August alone. Net capital inflows into our country have turned negative. And that's money that won't be returning to the United States until we get our act together.

This multitrillion-dollar subprime swindle was the greatest financial fraud in history. But Paulson and his colleagues at the Fed continue to blame everyone else. No one in China or Iran could have cooked up this structured finance rip-off which sent millions of homeowners into foreclosure, shattered 160 mortgage lenders, and undermined the global banking system. That was the work of Wall Street and their accomplices at the Fed.

Another article appeared in the New York Times by economics reporter Gretchen Morgenson. She calls her article, "Get Ready for the Big Squeeze." And she says, "Anyone who thinks we've hit bottom in the increasingly

scary lending world is paying little mind to the remarkably low levels of reserves that the big banks have set aside for themselves for loan losses. And who let that happen? Part of the problem for banks is the result of an almost two-decade drop in loan loss reserves." That's the fault of this Congress, it's the fault of the Treasury, and the fault of the Federal Reserve.

The present gang of Wall Street warlords have transformed the world's most transparent and resilient market, our own, into an opaque galaxy of complex dead instruments and shady, off-balance sheet operations. It's no better than a carnival shell game.

As the banks continue to get rocked from explosions in the housing industry, the unwinding derivatives and carry trades will precipitate a mass exodus from the equities markets. And we know that with surging oil and food prices, it's bearing down heavily on the American people as their discretionary income vanishes from increasing inflation and shrinking home equity. Wages have remained stagnant while personal savings have fallen to negative levels.

The aftershock from Alan Greenspan's cheap credit policies will be felt for decades. Record trade imbalances give further evidence of our situation. And no country has ever devalued its way to prosperity. As our dollar falls globally, destroying the dollar will ultimately destroy our country. And it will destroy the value of savings, for those people in this country that do have savings. It will destroy the value of equity they've built up in their homes. It will destroy the value of equities of this country.

Global credit markets are now facing unprecedented disruptions due to the mortgage-derivatives fraud which originated here in this country before spreading across the world; \$400 billion in asset-backed commercial paper has failed to roll over, and the story is not over yet.

Mr. Speaker, leadership is critical in times of economic crisis. Yet this Congress seems to be tiptoeing around the magnitude of what is facing the people of this country. This isn't time for prevarication, obfuscation, or public relations gimmicks by the Secretary of Treasury or the Fed. We need leaders who will tell the truth and forestall the growing probability of social disorder.

I commend this article to my colleagues and to the American people.

SCHIP

The SPEAKER pro tempore (Mr. MCNERNEY). Under the Speaker's announced policy of January 18, 2007, the gentleman from Arizona (Mr. SHADEGG) is recognized for 60 minutes as the designee of the minority leader.

Mr. SHADEGG. I want to take this opportunity tonight to discuss one of the hottest topics here in Washington, a topic that has occupied much of our time. It's been an issue on which we have debated and discussed exten-

sively. And I think that's been good for the American people because it has enabled them to learn what they didn't know to begin with.

The topic I want to discuss is the proposed expansion of the State Children's Health Insurance Program, what you have commonly heard referred to as SCHIP. That's a program that was created a number of years ago, and the President has put on the table some parameters about how to renew the program, but the Democrats have decided, no, we need to dramatically expand the program. And I think it's important to discuss these issues and for the American people to understand what is involved.

But on this one, I think it's more important than usual. And I think a way to illustrate that is that very recently a Republican colleague of mine was stopped by a reporter here on Capitol Hill. The reporter said to him, hey, how can Republicans possibly vote against the State Children's Health Insurance Program? And the reporter was incredulous at this thought, given that it's a health insurance for children and that its title said it's the State Children's Health Insurance Program, how is it the Republicans thought they could vote against a bill with that title? Well, fortunately, my colleague, who was quick of mind, said, I think a better question is, how could any Member of Congress vote for a bill based solely on its title? And, in fact, that's what the Democrats are urging us to do, vote for this dramatic expansion of this health care program just because its title indicates it's for children.

And in reality, you begin to take apart the various levels of the onion, the layers of the onion and examine the program and you discover, well, it's supposed to be an insurance plan for poor, uninsured children; and yet, if you examine it, you discover that it's not for poor or even near-poor, it's not for uninsured and, in fact, it's not even for children, a rather stunning provision. You discover that it's actually for middle- to upper middle-income Americans, some of whose families make more than \$60,000 a year, and in some States their families make more than \$80,000 a year. That's hardly anybody's definition of poor.

So, if it's not for poor children, then one would think, well, it's supposed to be for uninsured children. And yet, you discover, no, as a matter of fact, 61 percent of the children who originally became eligible for this program already had insurance. So, the program hasn't really been to help uninsured children, at least not initially, 61 percent of the children who are eligible already had private insurance, and they dropped that insurance to go on this government program.

Well, then you look at the CBO score of the current Democrat bill. And we ought to talk about how many times they've brought this up and the President has vetoed it, and I know there

are some of my colleagues here who will discuss that, but the Congressional Budget Office scored the current proposal that's before us, and CBO said that one out of every two children who become eligible under the new bill, under the bill that Democrats would have before us now, one out of every two will already have private health insurance. One out of two new children who become eligible for this program will already have private insurance. And if they decide to drop that private insurance and go on the SCHIP program, this Cuban-style, government-run program, well, half of those people will have already had private insurance and they will drop that insurance.

That opens the door for a discussion, I think, about the fact that, and CBO estimates 2 million; if 2 million kids in America who have private insurance drop their private insurance to go on this new expanded government program, the cost of that private insurance for everyone else will go up. So, let's see: It's not for poor or near-poor; it's not for the uninsured. Surely, this program must be for children because, after all, the Democrats are saying nobody can vote against a bill that's called the State Children's Health Insurance Program, but.

Voila, you discover, no, it's not just for children. As a matter of fact, there are a number of States where there are more adults on the State Children's Health Insurance Program than there are children on the program. As a matter of fact, I think in Wisconsin, it's 61 percent of the money is spent, not on children, 61 percent of the SCHIP money, State Children's Health Insurance Program money, 61 percent is spent on adults. I believe in Minnesota it's 75 percent of the money for the State Children's Health Insurance Program is spent on adults.

I looked at my own State. I thought, you know, I'm in Arizona, I'm interested in what's going on in Arizona. Kind of a shocking fact I discovered, and that is, Arizona had, at one point in time, put 110,000 adults on the program, but, and listen to this one, this is the State Children's Health Insurance Program, they put 110,000 adults on the program, and 85,000 of those adults were childless. They didn't even have a child.

Now, unfortunately, there is no such thing as truth in legislating, so it's okay to label a bill the State Children's Health Insurance Program and have it intend to cover poor and near-poor uninsured children, and then to dig into the weeds of the bill and read and discover, well, it's really not for poor and near-poor, it's for upper- and upper middle-income Americans. It's not for the uninsured, at least in several States, more than half are already uninsured. It's not even for children. It's for adults. And I think many Americans know that the President vetoed this bill. And then the majority party, the Democrats, decided to put off the override vote. And their

thought was, well, we will put off the override vote and put these Congressmen under pressure to try to force them to vote for the State Children's Health Insurance Program and override the President's veto. Well, when the truth is on your side, when the facts actually help you, when the facts point out that the program isn't what its title says it is, it isn't really the State's Children's Health Insurance Program for poor and near-poor children who are uninsured, it actually covers middle-income kids and not-poor kids, it covers kids that are already insured and causes them to drop their private insurance, and it covers adults, the delay didn't help, and the delay caused more Americans to learn about the bill.

But last week, on the last day we were here, once again the Democrat Party tried to stuff through a bill, without making any real changes to it, that had all these same flaws to it. And so, I thought it was important that we should come to the floor and talk about those issues. But there are actually more. I want to talk about the funding source. Because as challenging and as, in fact, untrue as the claims are about the bill covering poor children or uninsured children or even children, it turns out the funding mechanism is a scam as well. Actually, it's got all kinds of budget gimmicks in it, and it relies on certain things that simply will not come true and wouldn't be good policy if they did to fund it.

But before we move on to the funding issues in this bill, which I think is important for the American people to know about, I would like to give some of my colleagues here on the floor a chance to talk about their view of the bill, why we do support health care for poor and near-poor children, we do support health care for uninsured children, we just don't want to do it for middle-income Americans. We don't want to do it for those who already have insurance. As a matter of fact, I've had a bill that I've introduced in this Congress every year for the last 10 years to give a refundable tax credit to every single American who can't afford health insurance and let them buy their own coverage. So, I support dealing with these kids who need care, but not in a way that deceives the public about what we're doing.

I would be happy to yield to my colleague to give us her perspective on this important piece of legislation and help, perhaps, educate the American people about what this debate is and why we have the concerns we have about the bill.

Mrs. BLACKBURN. I thank the gentleman from Arizona for yielding.

Mr. Speaker, I am so pleased to be able to stand here and talk for a few moments about the SCHIP proposals, or I should say the health care proposal, the expansion of health care that has been brought under the name of SCHIP. It is, indeed, unfortunate that a fine program that is there to help un-

derprivileged children has been hijacked, if you will. And on its back, on the backs of our Nation's children, on the backs of the children of the working poor has been placed this expansion of health care. It truly shows a level of disrespect toward the children of this country.

I appreciate the leadership that the gentleman from Arizona shows, not only on this issue, but the leadership he brings to our Republican Study Committee. And those of us who are speaking on the issue tonight are members of the Republican Study Committee.

Mr. Speaker, on the topic of this SCHIP, you know, one of the things that the American people said was, we want to change the way things are being done in Washington. We want smaller government, we want government to spend less money. So, we saw some changes take place last November. And the new majority went into control in January and they've authorized nearly \$1 trillion in new spending since the time that they took over. And, of course, we are hearing that there are tax increases. One of the chairmen of Ways and Means calls it the "mother of all tax increases." I take a little bit of offense to that, being female. And also, when you talk about the mother of something, you worry about what the offspring are going to look like, Mr. Speaker. And so we are worried about what that tax bill will look like.

But on SCHIP, as I said, unfortunately for America's children, the liberal leadership of this House decided that they were going to put on their back the burden of carrying this enormous expansion of health care and changing a block grant program into an entitlement. That's not the kind of change the American people voted for. Just like the American people didn't vote to have the single largest tax increase in history take place.

Now, one of the interesting things about all of this is the SCHIP proposals that have come out include allowing illegal immigrants to get health care. And I know we hear from the majority, oh, that's not going to happen. We have eligibility requirements. But, Mr. Speaker, I would direct my colleagues to either section 211 or section 605 of the bill where it plainly states, and you can read it for yourself, anyone watching could read that for themselves. They can look up H.R. 3963 or H.R. 976 and see what is contained in that bill.

□ 1745

We know that this would result in \$3.7 billion in new spending over a 10-year period of time if the new liberal majority had its way. You can go into the allocation section, section 102 of the bill, and you can look at what is going to take place when you get mid-year 2012. Do you know what happens, Mr. Speaker? All of a sudden, no money. So what are you going to do, throw 80 percent of the people off the

bill? We all know that is not going to happen.

But, Mr. Speaker, my question is why would anybody support a bill, support a program, that they are setting up to fail. Why would they have that level of disrespect for this program, that they would pass legislation that would plan for it to fail. Then, as my colleague has said, we have the problems with spending more, insuring less children, and not making available to the children truly that are eligible for the program the opportunity to have that access to affordable health care.

We could go on and on with the problems with this bill. I just find it so unfortunate that in this day and in this age that we would have the new majority and the new leadership take a block grant program that is working well, that the States like and change it to an entitlement program that is put on auto pilot when we know some of the greatest pressures we have on our budgeting process are on our entitlement spending.

I thank the gentleman from Arizona for yielding. I appreciate his leadership on the health care issues. I appreciate his concern for how our constituents continue to access health care in this country.

Mr. SHADEGG. Reclaiming my time, I would like to just bring out a couple of the points that the gentlewoman from Tennessee mentioned and drive them home a little bit. I think the key one you mentioned was coverage of illegal aliens. As I understand it, the way the bill is written, it, in fact, appears to prohibit illegal aliens from being covered under the bill, but the authors of the bill have conscientiously, intentionally chosen vague language that would require virtually no proof of citizenship. Is that not correct? Would you explain that?

Mrs. BLACKBURN. Yes. If the gentleman will yield, and indeed that is correct. What you see is a play on words and how unfortunate that we have this disingenuous approach to this issue, have a play on words with the eligibility requirements and allowing, putting something in words and then allowing a loophole. As I said, the two sections, sections 211 and 605, with that we can look at the income disregards.

Now, Mr. Speaker, how many people have ever said let's have the income disregards when they are trying to decide who goes on to a program? Well, I had one of my constituents in my district come up, and they said, Tell me what is an income disregard? I said, Do you know what, an income disregard is when you do not consider the income. And they said, How can that be for the sake of considering SCHIP which is to be for children of the working poor? And I said, Because you don't want the income to matter. And if you don't want the income to matter and you want to make it available to what the IRS calls "high-income earners," you establish that doubletalk with income disregards.

Mr. SHADEGG. Income disregards is a perfect segue to what I want to talk about in this bill, and it stuns me, and I know that the authors of the bill have been confronted, and they have been asked to change the language to make it clear that this coverage would not go to illegal aliens. They have rejected that. They use the term "income disregard." What the heck is an income disregard? People in my congressional district certainly don't know what it is. But it is game-playing.

This is one I love. And you used the phrase, why would anyone write a bill and have it intentionally designed to fail; have it through kind of shifty means, through kind of squeaky wording, through provisions that you know won't hold up, have the program designed to fail. I think you are referring to one part of the bill that I find fascinating, and that is here as demonstrated on this graph.

It turns out that for the first 5 years of this program in the bill the majority has put together, the Democrats' bill, they provide the funding for the program, for this new expanded SCHIP program. But we fund our bills over 10 years. It turns out that because of their rules on budgeting that they have to cut off funding, and in year 5, actually 6 months into year 5, 80 percent of the funding for the entire program goes away. It is kind of like Lucy and the football. They say, Well, we will fund it for 5 years, and then we are going to take 80 percent of the funding away in year 5, and that way we will trick people and make it appear that we have the money to fund the program.

But that is not even quite as fascinating as one of the points I really want to bring out tonight in this debate, and that is, one of the funding mechanisms of the bill is a 61 cent per-pack increase in the cigarette tax. Now, you might say, Look, smoking is bad for people. Smoking is a habit we should discourage. So I am all for increasing the tax on cigarettes. I wouldn't have an argument with that.

But here is the problem, and this is where we go to terms like "income disregard" and, actually, not honestly confronting the funding of the bill. It turns out that for this 61 cent income, or cigarette tax, to be sufficient to fund the bill, more people than currently smoke would have to take up the habit. As a matter of fact, the official estimates are that to pay for the bill with a cigarette tax increase that is in it, a staggering 22 million Americans will need to take up smoking.

Now, I thought, how can a graph demonstrate 22 additional million Americans starting smoking? So I had my staff get 22 cartons of cigarettes. Here they are. We have got all 22 stacked here. I would like to have them out there where you can see them. There are 22 cartons of cigarettes here. And each carton represents an additional 1 million nonsmokers in this country who, to fund this bill if you leave it funded with the Democrat 61

cent per-pack cigarette tax, will have to start smoking.

Now, maybe proponents of this bill think that having 1 million people for every one of these 22 cartons of cigarettes take up the habit and pay their tax is a good idea. I happen to not think it is a good idea.

Mr. Speaker, for anybody who just tuned in, I want to tell them where we are. We are discussing the proposed expansion of the SCHIP program, a program that many of us are concerned is a bill that we will be forced to vote for because of its title. It is supposed to be a health care bill that provides health care to poor uninsured children. And it turns out that it provides health care not to poor children but to middle- and upper-income children whose families are making 60 to \$80,000 a year, in some instances more. It turns out to cover not just uninsured children, but 61 percent of the people originally covered already had insurance, and that would displace them, causing the cost of private insurance for the rest of us to go up.

It turns out it was supposed to be for children, and it is not actually for children. In some States, in Minnesota and Wisconsin, there are more adults covered than children and more money is spent on adults.

Then the final point I was just making, and I don't know, I hope the camera will get the cigarette cartons stacked in front of me, but one of the funding mechanisms in the bill is an increase in the cigarette tax. You might think that an increase in the cigarette tax is a good idea. But unfortunately it doesn't do the trick because the proposed increase in the cigarette tax of 62 cents a pack, it turns out, will only work, it will only provide enough money to pay for the program called for in the bill if an additional 22 million, staggering, 22 million Americans take up smoking and pay the tax.

So I thought to graphically illustrate that, I would get my staff to go out and acquire 22 cartons of cigarettes. Well, we couldn't afford the 22 cartons of cigarettes so we just got the outside of the cartons. But here they are stacked in front of me. You might say, Why are those cartons of cigarettes stacked in front of him? What's the big deal there? Doesn't he like cigarette taxes? That is not the issue. The issue is if each one of those cartons of cigarettes in front of me represents a million people in America who don't smoke today, a million Americans who don't smoke today, who, in order to fund this bill and have enough money coming in based on their cigarette tax, will have to start smoking in order to pay for the bill? Maybe somebody thinks that is good policy. Maybe somebody thinks we ought to be encouraging people to take up smoking and pay the 61 cent tax. I know my colleagues in Congress who are doctors probably don't think that is a great idea.

I do have my colleague from Georgia here, Mr. WESTMORELAND. I would be

happy to let him give his comments on the idea of 22 million new people starting smoking to pay for this bill that really isn't for uninsured poor children.

Mr. WESTMORELAND. I appreciate the gentleman yielding. To get 22 million people to smoke, I don't know how much money we will have to appropriate to a "get smoking campaign." We have been spending millions and millions of dollars, as the gentleman from Arizona knows, trying to get people to recognize the health effects of cigarette smoking and to quit. So I think for the Democrats to have this proposal, and I understood the gentleman from Arizona to say, too, that not only is the 61 cent cigarette tax misleading that it would fund the program, that they have a cliff that this program falls off of after 5 years and 6 months.

We have got the chart right here that shows that this is really more smoke and mirrors trying to get around the PAYGO in the fact that this is fully funded for the first 5 years and 6 months, and then after that, it drops off about 80 percent. And you can see over here the red line goes down.

Now, anybody who believes that we should let these families get on this health insurance program and then pull the rug out from under them is not fair. In fact, what has happened, when this program was first initiated under Republican control in 1997, there was a need there to help people who made 200 percent or less of the poverty level, and that is about \$42,000. So we said, If your children are uninsured, we have got a program that can help you. And we let the States administer it.

There are over, I believe the gentleman from Arizona, I don't know if you quoted this or not, but I think there is probably close to between a half million and a million children in the United States today that were eligible and had not been insured yet by these States.

Mr. SHADEGG. Reclaiming my time, that is absolutely correct. One of the objections that those of us who think this is not a well-written piece of legislation, we support the policy. We are all in favor of taking care of poor children and ensuring that they have health care coverage. Indeed, as I mentioned earlier, I have introduced a bill every year for the last 10 to provide a refundable tax credit to those children. But one of the things that we object to is the program currently covers adults and in several States there are more adults on the program than children; and yet as the gentleman from Georgia pointed out, there are millions of children who are, in fact, poor and who are, in fact, eligible to participate in this program who aren't currently participating.

One of the amendments that we have suggested, but have never been allowed to offer on the floor because we have never been allowed to offer an amendment on the floor, would be an amendment that says, You can cover people

at a higher level of poverty, you can go on up the income scale, after you have covered the poorest American children. The President has proposed that, as well.

Mr. WESTMORELAND. That's right. That is a great point. The Republican Congress, in 1997, when they came up with this program, and they funded this program, it was a block grant to the States. And they thought that the States would be there looking after these children that belonged to families under the 200 percent poverty level that didn't have health insurance to give them some affordable, or at least some, health care. But what happened is these States didn't work hard enough to go out looking for these children, so they said, Look, we'll insure adults.

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Then you learn from your mistakes. This program has been going on 10 years, and I think the President and the administration saw some of the errors that were in this program and tried to correct them and want to correct them in a new bill.

What it would do is say, look, all the States are going to be at a 200 percent poverty level. What has happened is States such as New Jersey and others have gone in and gotten waivers to go up to 300 and 400 percent, and that has caused a disbalance in some States that have taken their block grant, that have insured the children, spent the money wisely, and then others that have taken advantage of the system.

Mr. SHADEGG. Mr. Speaker, reclaiming my time briefly, when we talk about 300 percent of the Federal poverty level or 400 percent of the Federal poverty level, the abuse of the program, can the gentleman tell us about how much money that means?

We say this program is not directed just at poor or even, I like to say, nearly poor children. Poor children are supposed to be taken care of by Medicare. This is supposed to be for the near-poor.

Mr. WESTMORELAND. Mr. Speaker, I thank the gentleman for yielding, but let me put this in terms we can all understand. Two hundred percent of poverty is \$42,000, 300 percent is \$63,000, 400 percent is approximately \$84,000.

Mr. SHADEGG. There are some people on the program at that high a level.

Mr. WESTMORELAND. There are some people on the program at 400 percent.

Mr. SHADEGG. Eighty thousand dollars-plus.

Mr. WESTMORELAND. Eighty thousand dollars-plus. To me, this program was intended for those poor children that were in a situation with a family of four making \$42,000 that could not afford the health insurance, so the government stepped in and said we are going to help you out.

We as Republicans want to see these children insured. We don't want to see the program being abused as is being

done now. So I think that is the point that is so hard to get back to, is the point that we want to do this. The President has increased the funding.

But, you know what? It is one of those things that I think the gentleman from Arizona said this in his opening comments, the name of the bill sounds so good. There are a lot of smart people up here that make these pieces of legislation have great names, that you just feel like I can't vote against this because of what it is named.

This bill's original intent was to help the children in families of four that makes less than \$42,000. We are now trying to make it now where families that make up to \$84,000 can taken their children off of private insurance and immediately put them on this government program.

Let me say this: I think this is the first step to national health care. I don't know that that has been brought out enough. But if you go back and look at the national health care program that the Clinton administration brought up in 1993, if you look at what one of the Presidential candidates said, if we can't get the whole enchilada, let's try to do the kids first. This is going back to that.

Mr. SHADEGG. Mr. Speaker, reclaiming my time for a moment, I think it is kind of sad to take a children's bill, a bill that says this is a health care bill for poor, uninsured children, and exploit it. I would be happy to have a debate about how more Americans can get help getting health insurance. As I said, I have had a refundable tax credit to do that. But to try to pass a bill based on its title, and like this reporter says, how can Republicans possibly vote against a bill called the State Children's Health Insurance Program? You can't possibly vote against that.

Well, fortunately, democracy allows us to get into an open debate and say wait a minute. If it really were a bill focused on poor or even near-poor children who are uninsured, we might have a program we could support. But it turns out it is not for the poor or the near-poor, it is not for the uninsured, because more than half already have insurance, and then you discover it's not even for children; it is for adults.

Mr. WESTMORELAND. Let me bring up one point that you mentioned. Open debate. Wouldn't that be a novelty here in this House? It would be nice to offer an amendment, to be able to open the debate. And the fact that the negotiations on this bill has gone on between Democratic House Members and Republican Senate Members. They have not even opened up a dialogue with the chairmen of Energy and Commerce or of Ways and Means to look at pay-fors for this bill.

Mr. SHADEGG. They don't want to talk about it; they just want to peel a few Members off.

I see that we have been joined by one of your colleagues from Georgia, a

medical doctor, Dr. GINGREY. I have been railing against this bill, as you heard me a few moments ago. I have been saying that I find it stunning that the pay-for in this bill contemplates an additional 22 million people who are nonsmokers today needing to take up the smoking habit so they can pay the 61-cent per pack tax in order to have enough money to pay for the bill.

So I did this graphic. I created all these cartons. There are 22 cigarette cartons sitting in front of me, representing 22 million, a million for each carton, new Americans who don't smoke now who would have to take up the habit to pay for the bill.

I think that is a little deceitful. I certainly can't believe that the proponents of this bill would walk down here and say they think it is a great idea to have 22 nonsmokers in America start the habit.

But as a medical doctor, I would sure be interested in your opinion on that issue, or any other comments you have on some of the details on this bill that are important for the American people to know.

Mr. GINGREY. Mr. Speaker, I certainly thank the gentleman from Arizona, a member of the Energy and Commerce Committee. We heard, Mr. Speaker, earlier from Mrs. BLACKBURN, also a member of the House Energy and Commerce Committee. These Members are on the Committee of Jurisdiction from whence the bill came.

Unfortunately, their only input into this CHAMP legislation, as the Democrats originally phrased it in their acronym, their only opportunity, the Republican members of the Energy and Commerce Committee, is to be here on the floor during this Special Order hour to try to educate Members on both sides of the aisle. The gentleman from Arizona has been on the committee for a number of years, and he knows of what he speaks.

Mr. Speaker, talking about this issue of the pay-for, now, the PAYGO idea was the Democrat's campaign pledge, that if they had a new program or they expanded an existing program, and this is an expansion of an existing program, that they would pay for it. They would pay for it by either cutting spending somewhere else or raising taxes.

So this is one of those programs. This is a renewal of a program that has worked very well. It needs some additional funding. I don't think any of us would argue about that. Republicans, as well as Democrats, can support a reasonable renewal and expansion of the Children's Health Insurance Program.

But this is such a massive expansion that the Democrats found themselves in a bind. Mr. Speaker, to this day, they find themselves in a bind, and the bind is they are trying to pay for this with a massive increase, a tax increase, sin tax, if you will, on tobacco, especially cigarettes at 61 cents a pack.

As the gentleman from Arizona pointed out and as my colleague the

gentleman from Georgia, Mr. WEST-MORELAND, it would require 22 million additional people, grandparents, parents, and, yes, indeed, even the children, to start smoking, to pick up the smoking habit.

Mr. Speaker, I delivered 5,200 babies over a 31-year career as an OB/GYN physician, and I would hate to think that some of those kids who are in their late teens or early twenties now, would have to be puffing away so they could pay for a health insurance program for their little brothers and sisters. Now, that makes a whole lot of sense, doesn't it?

Mr. SHADEGG. If the gentleman would yield back briefly, and I would like him to continue making that point, I have a hunch there are voters out there, people out there across America, people listening to this saying, no, it can't really be true. It couldn't really be true that the SCHIP covers people who are already insured. It couldn't really be true that the SCHIP program that is supposed to be for poor Americans covers kids in families that make \$80,000 a year. It couldn't really be true that the Children's Health Care Program in many States covers more adults than children. Those things couldn't be true, but in fact they are.

This chart illustrates the point you were just referring to, and I thought it might be a good graphic for your remarks. This is the number of new smokers needed to provide tobacco tax revenues for the SCHIP bill. As the bill has been written and been voted here on the floor two times now, and as the President vetoed it, this chart shows that this many new Americans, this many new nonsmokers, going up to 22.4 million nonsmokers, to fund the bill by this revenue stream at least, will have to start smoking.

I just find so many aspects of this bill just stunning and unbelievable. But there is one; 22.4 million new smokers will need to take up the habit and pay the tax in order to have the revenues that the Democrats project will be needed for this new SCHIP bill.

Mr. GINGREY. If the gentleman will yield back, in his chart, my colleagues, it is so telling, because as it points out, this is over a 10-year period, up to 2017, but yet this program, all of a sudden they let it fall off the cliff.

The other chart there in front of my colleague from Texas, if you pay attention to that, again, the cigarette tax continues over the next 5 years, and all of a sudden they slash the funding for SCHIP so that the numbers work.

Because even with the cigarette tax, enticing 22 million additional people to get addicted to tobacco over that period of time, it still falls short of funding the full program by \$40 billion. So that is why they say at the end of 5 years, around 2012, all of a sudden there is no money. There is not sufficient money. Even though our young people are addicted to cigarettes, puffing away, trying to pay for the program, it

doesn't pay for it. So they use this trick, Mr. Speaker, and I think that is really deplorable.

I will close my remarks by saying this and then yield back to my colleague from Arizona who is controlling the time. I know there are other Members that want to speak.

But the original bill that the Democrats brought to us, the Democratic majority in this house, called for not \$60 billion worth of funding on SCHIP, but \$90 billion. Thank goodness they were reined in a little bit.

They called that the CHAMP Act. Well, I call it, based on what we have presented here tonight in this disingenuous funding mechanism, I call it the CHUMP Act. The only difference in "CHAMP" and "CHUMP," I say to my Democratic majority is you; you, the majority, trying to hoodwink the American public on this bill.

Do what is right. You have an opportunity. The President will work with you. The Republican minority will work with you. Just simply do what is right, and for once, tell the truth.

Mr. Speaker, I yield back to the gentleman from Arizona.

Mr. SHADEGG. I just want to emphasize some of the points that the gentleman made. I love the name the CHUMP Act. Again, I think it would be hard for Americans to believe that this program is as it is. For example, these cartons represent, each one of them, 22 cartons of cigarettes, 22 million new Americans that will need to start smoking to pay for the SCHIP bill. I guess you can call that a CHUMP Act, because I don't think 22 million Americans who don't smoke now are going to start.

If the gentleman will stay, I want him to explain that chart one more time. It shows the kid climbing up and then it shows the kid parachuting down. You call it the CHUMP Act. We call it here the cliff.

Maybe you can explain one more time for the voters back home what this cliff means in terms of the funding of the program, because I think it is important for people to understand that it appears the funding is there, but then in year 5, whoops, it disappears.

Mr. GINGREY. What the gentleman is saying, and I thank the gentleman for yielding once again, because the Democrats are determined, Mr. Speaker, to increase this funding to a point that they get 4 million additional children covered under this SCHIP program.

Under the current law, about 6.5 million children in this country, I think close to 300,000 in my great State of Georgia, are covered under the program. There may be 750,000 kids in that income range of 100 to 200 percent of the Federal poverty level up to \$42,000 a year for a family of four, as was pointed out early in the discussion, there may be 750,000 kids that have fallen through the cracks.

That is why the President said let's renew the program and increase the

funding by 20 percent. A 20 percent increase is not chicken feed, Mr. Speaker. That is a lot of money.

But what the gentleman from Arizona is referring to in regard to this cliff, if you all of a sudden try to cover an additional 4 million, where are those kids coming from? Well, they are coming from families who already have health insurance for their kids in the private market. Of course, if you get an opportunity, who wouldn't? You are making \$60,000 a year and you are providing health insurance for your wife and yourself and your two kids, and all of a sudden you get an opportunity to get the kids on the government trough and you do that, and then you are used to that wonderful largesse of "Uncle Sugar" for 4 years, and all of a sudden you get to the point where there is no funding, who comes off first? They do. That is where they drop off the cliff. I thank the gentleman for pointing that out.

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Mr. SHADEGG. I thank the gentleman for participating in this debate. I am thrilled we have a democracy here where, while our colleagues may come to the floor and put up pictures of children and say those mean Republicans don't want to cover children, at least we can bring out some of the facts. We can bring out the fact that there is a funding cliff and that you would have to have 22 million nonsmokers take up the habit to pay for the bill. Unfortunately, we have not been able to offer amendments to correct those deficiencies in the bill.

But we do support health care for poor and near-poor children. I support it for uninsured children. I have introduced every year for the last 10 years a bill that would give a refundable tax credit to every poor American to go out and buy their own health insurance. The reason I like the idea of giving them the money to buy their own care is because they will buy a plan that meets their needs, not some bureaucrat's needs. They will buy a plan based on choice, not based on government rationing of their care. They will buy a plan that their family likes and a plan that they will have control of. And if they don't get the service they want, they can fire that plan and buy another. It would be portable, and they can take it with them.

Instead, we are talking about expanding a government-run program with, quite frankly, a lot of smoke and mirrors that, sadly, people will vote for just because of the name of the bill. Or maybe just because of the name of the bill and because the advocates of the bill can put up a picture of a child and say, Don't you want insurance for that child?

Well, I do want insurance for that child. I just don't want insurance for adults under a program that is supposed to be for children. I don't want insurance for already insured kids causing them to drop their insurance.

We are joined by Mr. HENSARLING from Texas, and I know he has details and thoughts about this program and about how important it is that Americans understand the details of this, so it is not just are you for children or against children. It is a deeper discussion than that. I yield to the gentleman.

Mr. HENSARLING. I thank the gentleman for yielding. I especially thank him for his leadership in this area to try to make health care more affordable, more portable, high quality, and accessible for all of the children in America. The gentleman from Arizona (Mr. SHADEGG) has been a great leader in this effort. I also appreciate his leadership in the conservative caucus in Congress, the Republican Study Committee, and all he has meant to that group in advancing the cause of freedom and free markets in America.

People need to listen closely to this debate. The debate is not about whether or not we are going to have an SCHIP program, a State Children's Health Insurance Program. It is really a tale of two SCHIPs, if you will. People need to know, number one, when they hear America needs to provide health insurance for poor children, well, I am not sure that anybody disagrees with that in America. That is why we have something called the Medicaid program, for the poor in America. So that is a nonissue. That is totally a nonissue.

What we are talking about is health care for the working poor, those up to 200 percent of the poverty level, and the SCHIP program was actually started 10 years ago by a Republican Congress to provide health insurance benefits to, number one, the uninsured; number two, low income; number three, American; and, number four, children. Uninsured, low-income American children. That's what the program was supposed to do. And I don't believe there is one Member of this body on either side of the aisle who wouldn't vote to reauthorize this program today for uninsured, low-income American children. Even though I am a fiscal conservative, I would vote to appropriate more money to ensure that eligible children can be a part of this program.

But, unfortunately, our friends on the other side of the aisle have discovered some new poll or focus group results that say we have this great bumper sticker slogan, and maybe we can somehow put people in a box, maybe we can fool the American people as to what this is all about.

Well, Mr. Speaker, occasionally it is helpful to have the facts. Again, this is a program that was designed for people up to 200 percent of the poverty level, presently \$40,000. Yet loopholes and exemptions allow families up to \$83,000. I am not sure anybody is going to call that the working poor in America. It is not the working poor in the Fifth Congressional District of Texas. But loopholes and exemptions allow people making up to \$83,000 to get these bene-

fits. What the Democrats are doing, they are doing nothing about the loopholes and exemptions; and they are expressly taking the program to 300 percent of the poverty level when there are still eligible children that haven't been enrolled.

So a program designed for the working poor, the Democrats are trying to transform to people making \$83,000. And that is not right. It is not right at all.

Second of all, this was a program designed for children. It is called the State Children's Health Insurance Program. And yet we have 13 States that are insuring adults while 800,000 eligible kids aren't enrolled. What does the Democrat plan do? Well, bring on more adults. We have three States covering more adults than children already. So we have precious resources of our Nation instead going to adults, and the Democrats say let's insure more adults. Republicans say let's put the children first. Let's put the children first.

This was a program that was also designed for American children. American children. Now if anybody walks into any emergency room in any hospital in America and they have an emergency, I want them to be treated. We are all God's children. But to have illegal immigrants use emergency rooms and be able to access our health care system for their everyday health care when they are in this Nation illegally, while we still have 800,000 eligible children not enrolled, that is just a tragedy. That is a travesty. That is crazy.

Yet under the Democrat plan, what they do is they claim this isn't for illegal immigrants. Then I ask them why did they take away the proof of citizenship requirements? I mean, your words say something, but your actions are even louder than your words. When you take the proof of citizenship requirement out of the bill, you are de facto allowing more illegal immigrants to access this program.

Mr. SHADEGG. I think the gentleman has made some strong points, and I would like to draw them out.

One of the ones that gets missed so often is we talk about this being a program for poor children. I noticed that the gentleman in his remarks made the point that it really isn't a program for poor children. We have a program for poor children, and that is called Medicaid. That is already in existence. That is one of the points that you made.

Mr. HENSARLING. That's correct. The American people shouldn't be fooled. Those at the poverty level in our Nation are covered by Medicaid.

Mr. SHADEGG. So Medicaid covers poor children, and this program was designed to cover the near-poor or the working poor.

Mr. HENSARLING. It was designed for the working poor up to 200 percent of the poverty level.

Mr. SHADEGG. And now it has been expanded to?

Mr. HENSARLING. Under the Democrat bill, they expressly take it from 200 percent to 300 percent. Yet, you have to read the fine print because even today there are so many exemptions and so many loopholes that there are States that are insuring people up to \$82,000 income for a family of four, and they do nothing to bring this back to the working poor.

Mr. SHADEGG. The gentleman's remarks remind me of something I think we already know, and that is certainly with legislation the adage that the devil is in the details is pretty important. I think a lot of our Democrat colleagues, a lot of the majority, think we will put up a picture of a child, we will call it the State Children's Health Insurance Program, and no one can vote against it. And you know what, if it were the State Children's Health Insurance Program for children of the working poor who are uninsured, I would be all for it. But when you get into the details, it ain't quite so.

Mr. HENSARLING. If the gentleman would yield, I have no doubt that 99 percent of this body, Democrat and Republican, today, this moment, this moment would vote to reauthorize a SCHIP program which provides health insurance benefits to the uninsured, to the working poor, to Americans, and finally to children. That's what the debate is about today. That is the main debate we are having today.

Mr. SHADEGG. I think that is an important note. We care about the structure of the bill. My main concern is patient choice. I believe creating government programs and forcing people into those programs is not the preferable way to care for people or to help them. I personally think we would be doing better to give people choice, give them in my case a refundable tax credit and let them buy a health care plan that suits their needs, not to be forced into a government-controlled, government-run bureaucratic, rationed-care program, but give them choice.

I was talking with one of the doctors in our conference earlier today, and he pointed out that the reimbursement rates under SCHIP, because it is a government program, are dramatically lower than under many private programs. So kids who do drop their private health insurance and go on a government-run SCHIP program will actually get worst care.

I know that the gentleman is an expert on budget and finance, and I think that chart demonstrates, and I don't know whether you want to call it hypocrisy or whether you want to call it trickery or whatever you want to call it, it is playing fast and loose with the budget facts on this bill. Maybe the gentleman would like to direct his remarks to that in light of the fact that the cigarette tax, and I have tried to make a big point out of this tonight, that the cigarette tax in the bill isn't enough to fund the bill. It is kind of a scam. It is kind of a scheme.

The cigarette tax in the bill would only fund the bill if 22 million new non-

smokers took up the habit and started smoking. So for a graphic, we got 22 cartons of cigarettes, each carton representing another million Americans who would have to start smoking. I thought it would be helpful if the gentleman addressed those issues as well.

Mr. HENSARLING. I thank the gentleman for his insight. And looking at all of the cigarette cartons in front of you, as somebody who used to serve on the board of directors in Dallas, Texas, of the American Cancer Society, I know how seriously devastating the habit of smoking can be to families. I have seen a lot of cancer in the families of friends, something I take very, very seriously.

And to think that now we are going to have a health insurance program ostensibly counting on 22 million more Americans to take up smoking is frankly beyond insulting. It is beyond ludicrous. For the life of me I cannot fathom why any type of system would be created, and then as an irony, and I make this point as an aside, the tax would go mainly to those who are making less than 200 percent of poverty level, the same people that ostensibly this program is due to help. Fifty-four percent of all smokers are in families making less than \$42,000 a year.

Mr. SHADEGG. We have this chart which makes the point that the gentleman just brought up. The burden of tobacco taxes falls largely on poor Americans. As a matter of fact, 28 percent of the people who smoke are considered poor. They make less than 100 percent of the poverty level. And 26 percent of the people who smoke are near-poor. They are in that 100 to 200 percent. And for the not-poor, that is only 18 percent of Americans. So this tobacco tax that is supposed to pay for the bill, but it is not enough money to pay for the bill unless millions of Americans, 22 million, take up smoking, post the burden of this legislation on the people who can least afford to pay it.

Mr. HENSARLING. Essentially, under the Democrat plan, you will be taxing people making less than \$42,000 a year in order to give subsidies to those making up to \$83,000.

Mr. SHADEGG. Wait, wait, wait. I want you to repeat that point because I think it is important.

Mr. HENSARLING. Well, 54 percent of the smokers are in families making less than \$42,000 a year. That is 200 percent of the poverty level in 2007. So under the Democrat plan, you would tax people making less than 200 percent of poverty in order to extend subsidies to families making up to \$83,000 a year.

Mr. SHADEGG. I think that reason alone, the fact that it is funded by a mechanism that imposes a tax on the poorest Americans to pay for a subsidy to people making over \$60,000, and in some instances over \$80,000 a year, is reason enough for the President to have vetoed the bill.

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Mr. HENSARLING. I thank the gentleman for yielding, and I certainly

hope that the President would veto the bill.

And again, our Democrat colleagues know that last month, last week, last night, today, tomorrow, this body stands ready to reauthorize the SCHIP program, as long as it's really going to help the uninsured, as long as it's going to help the working poor, as long as it's going to help children, and as long as those children are American children.

So, a debate is taking place about that, but I'd like to harken back to another point that the gentleman made. As important as this debate is, we need to keep the focus on ultimately how are we going to get affordable health care, accessible health care, health care of high quality to all families across America.

And in many respects, this is not just an economic debate. In many respects, we're not debating how much money we're going to spend on children's health care in America, but we are debating who's going to do the spending.

So, under the Democrat plan, the Congressional Budget Office says that for all intents and purposes over 2 million children will be taken off their chosen health insurance plan and shoved into the government health insurance plan. And you might have seen in the newspaper "The Politico" that this was really Senator HILLARY CLINTON's plan from the first, that if she couldn't pass her Canadian-style, socialized health care system in one big bite, that she would do it in little bites.

So there's memos dating back, and I have the document right here, the document right here that's referred to in the article. And if I could quote from the October 2 issue of "The Politico," "Back in 1993, according to an internal White House staff memo, then-First Lady Hillary Rodham Clinton's staff saw Federal coverage of children as a precursor to universal coverage.

"In a section of the memo titled 'Kids First,' Clinton's staff laid out backup plans in the event the universal coverage idea failed."

And now we're seeing it. That failed, and so this is really the first step in taking us down that road in that Canadian-style, socialized health care system where ultimately, ultimately mothers in America won't be waiting hours to see a doctor to help their sick children. They will be waiting days. They may be waiting weeks, and it won't be the doctor of their choice. It will be the doctor of some government bureaucrat's choice, and I don't plan to stand idly by and allow that to happen to my children, much less the children in the Fifth District of Texas, much less the children in America.

Mr. SHADEGG. I think we're about to run out of time. I want to thank the gentleman very much for participating in this debate.

I think there are millions of Americans who don't quite understand and who perhaps learned a little more tonight about why the President would

veto this bill and why many of us would vote to sustain that bill, about our concern that it is called a program for the near-poor or the working-poor uninsured children, and it turns out it's not for the near-poor or working-poor uninsured children.

As we've demonstrated in this discussion tonight, it covers people who make up to \$60,000 and in some cases \$80,000 and more a year. It's not for the uninsured because the original study shows 61 percent of those who became eligible already had private insurance, and under the new bill, one out of every two who become eligible will have already had private insurance, and they'll drop that insurance. And when they do, the cost of the private insurance for everybody else, everyone else who has a child in that private insurance, will go up.

It turns out so it's not for the poor or the near-poor or the working poor. It's not for the uninsured, because we discover it makes millions, 2 million by the latest estimate, children who are already privately insured eligible to go on this program. Then you think, well, the children's health care bill has to be for children and you discover, shock of all shock, the children's health care program isn't for children; it's for adults.

I thank the gentleman. I think the 22 million new smokers is a stunning fact. I'm sorry we haven't been able to offer amendments on the floor. I'm glad this debate gives us a chance to explain to the American people what's going on, and that there's more to this bill than just the title, and it's important to pay attention to these details.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2262, HARDBLOCK MINING AND RECLAMATION ACT OF 2007

Mr. HASTINGS of Florida (during Special Order of Mr. SHADEGG), from the Committee on Rules, submitted a privileged report (Rept. No. 110-416) on the resolution (H. Res. 780) providing for consideration of the bill (H.R. 2262) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3920, TRADE AND GLOBALIZATION ASSISTANCE ACT OF 2007

Mr. HASTINGS of Florida (during Special Order of Mr. SHADEGG), from the Committee on Rules, submitted a privileged report (Rept. No. 110-417) on the resolution (H. Res. 781) providing for consideration of the bill (H.R. 3920) to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to

service workers and firms, and for other purposes, which was referred to the House Calendar and ordered to be printed.

BLUE DOG COALITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROSS. Mr. Speaker, this evening, as most Tuesday evenings, I rise on behalf of the 47-member-strong, fiscally conservative Democratic Blue Dog Coalition.

As I sat here, Mr. Speaker, thinking about what I wanted to discuss in this next hour with some of my Blue Dog colleagues, I couldn't help but listen to some of the rhetoric that we've heard over the past hour. You know, for 6 years, for 6 years the Republicans controlled the White House, the House and the Senate. And what did they give us? They gave us tax cut after tax cut for folks earning over \$400,000 a year.

And this new Democratic majority, what has the Democrats given you? We are giving you health care for children of working parents. Let me repeat that. This is health care for the children of working parents. This is not for children whose parents are on welfare. They're already covered under a program known as Medicaid, which is health insurance for the poor, the disabled and the elderly.

Some 10 million children in America will go to bed tonight without health insurance, without the ability to go to the doctor when they get sick. And who are they? They're the children of parents who are trying to do the right thing and stay off welfare, but they're working the jobs with no benefits.

While the Republicans were hiding earmarks, the Democrats in this new majority have been passing legislation that says if you're a Member of Congress and if you break the law, you lose your pension, period. And while the Republicans have been on an agenda that benefits those earning over \$400,000 a year, the Democrats in this new majority have raised the Federal minimum wage for the first time in 10 years.

If we're serious about moving people from welfare to work, we've got to pay them more than \$10,712 a year, which is what the previous minimum wage represented if you worked 40 hours a week, 52 weeks a year, never get sick, and never take a single day off for vacation.

Now, they said that the Democrats are wanting to provide health insurance for children of working parents. We plead guilty to that, and after all, if the working families have been benefiting from some of these tax cuts that primarily benefited those earning over \$400,000 a year for the past 6 years, our working families might not need the help, but they do because under the past 6 years of a Republican White

House, House and Senate, quite frankly, they haven't got it.

It's time, Mr. Speaker, to tone down the political rhetoric and look at the facts, and as a member of the Blue Dog Coalition, I can tell you what we're all about. We're about fiscal discipline and accountability. We're about putting an end to the partisan bickering. We don't care if it's a Democrat or Republican idea. We ask ourselves, is it a common-sense idea and does it make sense for the people that send us here to be their voice?

Today, the U.S. national debt is \$9,063,547,746,613. If you divide that enormous number by every man, woman and child in America, including the children being born today, every one of us, our share of the national debt, \$29,888. That's what those of us in the Blue Dog Coalition refer to as the debt tax, D-E-B-T, which is one tax that cannot be cut, cannot go away until we get our Nation's fiscal house in order.

Tonight, we're going to be talking about the debt, the deficit, and as members of the fiscally conservative Democratic Blue Dog Coalition, we're going to be talking about ways to put an end to this reckless spending.

If you ask 100 people on the street what they think about this Iraq war policy, you will get about 100 different answers, but one of the things that unites us as Blue Dogs is we believe that the money that this administration asks for for Iraq should be accounted for. We believe that if this President is going to continue to spend, and this is year 5, if this President is going to continue to spend \$16 million an hour, \$16 million every 60 minutes going to Iraq, and if this President's going to continue down that path, then we believe we're not here tonight to debate the merits of \$16 million an hour going to Iraq, but we're here tonight to hold this administration accountable for how that money is being spent and to ensure that it's being spent not on projects for Iraq but providing the protection and the state-of-the-art equipment that our brave and honorable men and women in uniform not only need but deserve.

This war has affected all of us. My first cousin was in Iraq when his wife gave birth to their first child. He's now back for a second time, and he will be there when she gives birth to their third child. My family's not any different from many families across America.

Many families have made the sacrifice, some of them the ultimate sacrifice, in support of their loved ones who have gone and simply done what they've been asked to do. And Mr. Speaker, if we're going to send our men and women in uniform to Iraq, we need to make sure some of this money is being spent on them, and we need to make sure that we're taking care of them.

At this time, one of the things that the Blue Dog Coalition has done is

we've written legislation known as H. Res. 97 that was drafted by members of the Blue Dog Coalition to ensure accountability for how the money is being spent in Iraq. At this time, I would call on one of the cochairs, the cochair for policy for the Blue Dog Coalition, and that is my dear friend, the cochair for policy for the fiscally conservative Blue Dogs, and this is DENNIS MOORE of Kansas who's going to talk more to us this evening about H. Res. 97, which simply is called, Providing for Operation Iraqi Freedom Cost Accountability, and I thank Congressman MOORE for being a part of this Special Order this evening.

Mr. MOORE of Kansas. I thank Congressman ROSS, and Mr. Speaker, for letting us speak this evening.

The Blue Dogs, as Congressman ROSS said, have introduced H. Res. 97, Providing for Operation Iraqi Freedom Cost Accountability, to address the lack of oversight and accountability with regard to our Federal Government's funding of the war in Iraq.

H. Res. 97 currently has 63 cosponsors, myself included, and puts forward commonsense proposals that ensure future transparency and accountability in the funding of Operation Iraqi Freedom. This, I believe, is an important first step toward making sure that more resources get to our troops in the field and are not wasted on other things. We want to make sure that our brave men and women serving in Iraq and Afghanistan have what they need to do their job.

H. Res. 97 focuses on four crucial points for demanding fiscal responsibility in Iraq: number 1, a call for transparency on how Iraq War funds are spent; number 2, the creation of a Truman Commission to investigate the awarding of contracts to make sure they are fairly awarded and get what they're intended to secure; number 3, a requirement to fund the Iraq war through the normal appropriations process and not through emergency supplementals as we have done throughout this whole war; and number 4, using American resources to improve Iraqi assumption of internal policing operations.

Recently, Mr. Speaker, members of the Blue Dog Coalition worked together with House Armed Services Committee Chairman IKE SKELTON of Missouri to include key provisions of H. Res. 97 in the fiscal year 2008 national defense authorization bill. In doing so, we took the first step toward ensuring complete fiscal transparency in the funding of the war in Iraq.

The American people deserve to know how their tax dollars are being spent and that they're being spent wisely and that our troops have the resources they need to do their job and to protect themselves in the field.

The Blue Dogs, Mr. Speaker, are committed to passing legislation that accomplishes this goal, to give our troops what they need and make sure they have the resources they need to protect themselves as well.

Mr. Speaker, I've been a member of the Blue Dog group for more than 9 years now, and in that period of time I have learned, and I've said this to my folks back home over and over and over again, 80 percent, 85 percent of what we do up here in Congress should not be about Democrats and Republicans. We ought to be working for our people and for our country. And when I say that back home, I see people every time and in the audience sitting there shaking their heads yes. They're tired of the partisanship up here. They want us working together to do what's right for our people and our country.

I have now eight grandchildren, Mr. Speaker, and we have mortgaged their future. Mr. ROSS had a chart up here just a few minutes ago that showed we have a national debt in excess of \$9 trillion, and we're passing that debt, Mr. Speaker, on to our children and grandchildren. To me that is immoral.

We ought to change the way we're doing business here in Congress and do like most families. Most American families live within a budget, not all but most, and we should be doing the same thing. That's what our Blue Dog organization is all about, making sure that we, as a Nation, try to live and do live within the resources that we have and not pass this debt on to our children and grandchildren.

I thank Congressman ROSS.

□ 1845

Mr. ROSS. The gentleman from Kansas (Mr. MOORE) is the cochair of policy of the fiscally conservative Democratic Blue Dog Coalition.

As you can see, the 2007 Iraqi war funding, the total cost, \$135.2 billion; the cost per month, \$11.3 billion; the cost per day, \$370 million. That's about \$16 million an hour. I helped dedicate and break ground on interstate I-530, which someday will connect I-30 and I-40 in Little Rock through Pine Bluff to I-69 in southeast Arkansas, which could create a economic revival in one of the poorest regions of the country, the delta region.

In my speech in Pine Bluff yesterday I couldn't help but point out in the last transportation reauthorization bill there was about \$6 billion for new interstate construction for all of America for the next 5 years. That's about the amount we will spend in Iraq in the next 2 weeks.

Don't get me wrong, let me make it very clear, as long as we have troops in harm's way, I am going to support them and make sure we support them as a Nation in providing them the very best that money can buy and the technology and the equipment they need to do their job as safely as possible and return home to their families. We have to ask ourselves at some point, \$16 million an hour going to Iraq means \$16 million an hour we don't have to invest in our communities in America, that we don't have to invest in education and homeland security and veterans benefits, and the list is endless.

At some point, at some point we have to demand a new direction in Iraq and begin to invest in America again.

At this time, I would recognize our administrative cochair of the fiscally conservative Democratic Blue Dog Coalition, and that's my good friend, ALLEN BOYD from Florida.

Mr. BOYD. I want to thank my friend MIKE ROSS from Arkansas, the communications cochair of the 47 member strong fiscally conservative Blue Dog Democrats.

I came down here tonight to join him to try to continue to deliver the message to the American people that I think in some ways this administration and this Congress have lost their focus on what's important to keep America great and strong.

I noticed today that the President of the United States and the minority leader and the minority whip stood before the American people and talked about vetoing an appropriations bill which funds the health and education agencies of our Federal Government simply because that bill would increase spending over last year at a rate, I think, of some \$9 billion or \$10 billion, which is actually below inflationary and population increases. At the same time, the President of the United States has sent in a supplemental request down here for funding for the Iraq war, which I believe is to the tune of \$49 billion or \$50 billion to get us through the next few months.

I think we have just lost our sense of balance, or our sense of what we have to do to keep America strong and keep it a great Nation. I want to refer, if I could, if we think about those numbers, about an agency of the Federal Government that helps provide health care and education benefits to the people of the United States of America, while we are thinking about that, I want to refer you to a recent report released by the Special Inspector General for Iraq Reconstruction. In that report, we uncovered the waste, fraud and abuse of taxpayers' dollars caused by the lack of necessary oversight by the U.S. Government. This is something that the Blue Dogs have been focused on for a long time, is the government, we as a government being good stewards of our taxpayers' dollars that we take involuntarily from our citizens to run the government, to provide security, transportation and other things, the other functions of a government.

This quarterly report, which details progress in the U.S. Government's reconstruction of Iraq, uncovers continuing problems which have left millions of dollars, billions of dollars unaccounted for and a large number of products unfinished in Iraq. In fact, the Inspector General himself has stated that 40 percent of all projects in Iraq are in danger of not being completed under the original contract and "virtually every project in Iraq has cost more or taken longer than expected."

The Inspector General also noted that some projects are never finished.

In one recent case, the Federal Government invested \$90 million in a project to overhaul two giant turbines at a plant south of Baghdad. However, the multimillion dollar project, which is critical to providing power in Baghdad, has not been realized because of weak operations and maintenance practices by the Iraqis after the project was turned over in April of 2006.

This report goes on to cite several examples of the same egregious waste, fraud, and abuse. I want to outline some of those; I want to give you six specific examples of the waste, fraud, and abuse identified in this Inspector General report.

Number one was a 50-bed children's hospital in Basra, a 50-bed children's hospital in Basra, Iraq, which was originally expected to cost \$50 million. This might be appropriate, because we have heard the previous speakers in the previous hour talk about how SCHIP ought to be vetoed, SCHIP, which would provide health care services to our children here.

We just spent \$50 million in Iraq on a children's hospital. That hospital is a full year behind schedule. The contractor responsible for the project left the hospital only about half complete, yet 100 percent over the original cost estimate. We haven't heard a lot of fuss about that from the previous majority.

Number two, due to inefficient oversight by the State Department, the Federal Government spent \$44 million on a residential camp for refugees that has never been used. Another \$36 million was spent on weapons and equipment which are now unaccounted for.

Number three, oil contract overcharges and contract mismanagement recently cost the U.S. Government \$263 million. Oil contract overcharges and contract mismanagement, \$263 million.

Number four, due to poor contractor oversight, a failed oil pipeline project wasted nearly \$76 million of your taxpayers' dollars.

Number five, according to an Iraqi estimate, \$5 billion per year, this is according to the Iraqi estimate, \$5 billion per year is wasted due to widespread corruption in Iraq.

Number six, after allocating \$17 billion in U.S. funds to the security and justice reconstruction sectors in Iraq, only four of those, 18 of those sectors, only four have transferred to Iraqi control.

This quarter's report also included a financial review of large contractors funded by the Iraq Relief and Reconstruction Fund. International Bechtel is the largest Iraq Relief and Reconstruction Fund contractor, and there were many examples of waste and fraud and abuse discovered in that report when analyzing the Bechtel contracts.

This report analyzed 24 job orders that Bechtel contracted to perform at a total cost to the government of \$761.2 million. Of those 24 job orders, only 11 were successfully completed, 10 were incomplete, canceled or transferred to someone else, and the other three, they could not determine status of.

You see that there are many, many problems in Iraq. I think that the American people have figured out that we have some serious, serious problems over there, not only with the policy as it relates to how we keep ourselves secure, but also to our involvement over there and our spending of, as Mr. ROSS has shown you, \$135 billion on an annual basis.

That is \$16 million an hour, \$2.5 billion a week, \$135 billion a year; and we seem to, in many cases, send that over there without asking a lot of questions about where the money is being spent and what we are getting for it. At the same time, we talk about vetoing an SCHIP bill which is \$7 billion a year, which will go to cover 10 million additional children in the United States of America. I think we have just lost our way in terms of priorities.

I want to wind up by telling our viewing audience that recently I took a trip to Iraq. It was my first visit over there. I led a congressional delegation of five Members, three of whom had never been before and two, it had been several years since they had been. It was a bipartisan delegation, a great group of Members to work with.

We spent several days in the region, one full day in Baghdad. We found that morale of our Armed Forces, our uniformed personnel over there is very strong and very high. I am proud of that, having served, having worn the uniform of this country in Vietnam and served in an era when morale wasn't so high and we lost the support of the American people.

It was refreshing to me to see that our morale is pretty high over there. I think our soldiers are performing what they are being asked to do. They are performing it very well.

What I discovered is that what we are doing over there is policing the streets of Baghdad and refereeing a civil war in Iraq. That's not an appropriate role for the United States military. We don't even allow our military to police our streets here in America.

This role has to be turned over to the Iraqi people. General Petraeus told us that we can train security forces, and we can get them in place, and we can train them, but unless the Iraqi Government can stand up and give them the command and control that they need and the logistical support that they need to be effective, they never will be effective. The Iraqi Government has failed at this point in time to stand up because they are fighting each over their sectarian differences, and we have to come to grips with that.

I will close with that it kind of brought all this into focus for me and how out of kilter we have gotten on things. One of the briefings we have shown was a video that was taken in a fighter plane. I don't know what the cost of that Air Force plane was. It was probably maybe a quarter of a billion dollars, very expensive plane, delivered probably \$50,000 to \$100,000 worth of munitions to two Iraqis riding a bicycle out of a house.

I thought to myself that we have really lost focus on what our great military is supposed to be used for. We should redirect our resources into a strategy which will provide long-term security for us around the world. That strategy has to be developed, well thought out, obviously, developed through a great deal of diplomacy, a great deal of political acumen and also the appropriate leverage of our great military that we have.

I want to thank Mr. ROSS for putting together this Special Order, but also for the many other Special Orders that you have done to try to deliver the Blue Dog message to the American people. I want to thank you for your service.

Mr. ROSS. I thank the gentleman from Florida (Mr. BOYD), the administrative cochair of the Blue Dogs for his insight and examples of waste, fraud and abuse that's going on with your tax money over in Iraq.

If you have got any comments or concerns or questions of us, you can e-mail us at bluedog@mail.house.gov. That is bluedog@mail.house.gov.

Again, this is an hour where most Tuesday evenings we come and lead a discussion about accountability and fiscal discipline in our government by the Blue Dog Coalition.

If you are wondering how in the world did we get our name, Blue Dog Coalition, a lot of folks, especially in the South, have heard of a Yellow Dog Democrat, meaning you would vote for a Democrat even if it was a yellow dog as long as it was running as a Democrat. Somewhere along the way we were Yellow Dog Democrats that felt we were being choked blue by the extremes of both parties. Thus the name the Blue Dog Coalition, a group of fiscally conservative, commonsense Democrats that are trying to restore fiscal discipline and accountability to our government.

At this time I am pleased to turn this thing over to a former policy cochair of the Blue Dogs, the gentleman from Tennessee, JIM COOPER.

□ 1900

Mr. COOPER. I thank my colleague from Arkansas.

Mr. Speaker, I'm pleased to join this Blue Dog Special Order hour tonight. I would like to discuss not only the War-time Spending Accountability Act but also another measure that most of the Blue Dog leadership has been kind enough to cosponsor having to do with reform of all of our entitlement programs.

But first on wartime spending, there is absolutely no question that there's been an astonishing amount of waste, fraud and abuse in this conflict in Iraq. I personally was on the tarmac at the Baghdad Airport when a C-130 plane flew in, and the Air Force did not want us to see that plane land and unload its cargo. Well, why was that? Here are a group of U.S. Congressman standing on the runway and they did not want us to

see a U.S. plane land because of its cargo. Well, what was in that plane that was so secret? Well, the plane landed and they got the forklift out and they unloaded six pallets, very well wrapped up, absolutely full, very heavy. And what was in those pallets? \$1.2 billion of U.S. cold hard cash, \$100 bills. I've never seen that much money in my life. I'm not sure if any bank in the country keeps that much cash on hand. But that much U.S. currency was flown into Baghdad. Why? We were told it was to go to replenish the Baghdad or Iraqi Central Bank. It certainly had the most elaborate convoy I've ever seen protecting that cash, because if it had been robbed, it would have been the greatest robbery in the history of the world. Now, the tragedy is we don't know how much of that money disappeared once it got to the bank and was in proper hands, because it is widely known that there is massive corruption in that country.

Another incident that most people know about is the fact that U.S. contractors, who are supposed to be handling taxpayer money wisely, have been seen playing touch football with what, a football? No. With small bales of \$100 bills. They've been so loose with our money, and they have so much on hand, not in single dollar form, but in bales of \$100 bills, that they've been seen playing touch football with that.

Another episode we were recently made aware of is due to the Iraqi Government's inability to pass an oil revenue sharing law. There's been a lot of upset by the Sunnis in al-Anbar province in particular because they're worried they won't get their fair share of Iraq's oil wealth.

Well, recently a shipment was made of millions and millions of U.S. dollars to basically dump this money in a town square in al-Anbar province just to make sure the Sunnis felt better about themselves. That is not a wise use of U.S. taxpayer dollars.

So the Inspector General in Iraq is doing an outstanding job of ferreting out this misuse of U.S. taxpayer money. We have tried here in the House of Representatives on a bipartisan basis to strengthen inspectors general. They are a wonderful mechanism for ferreting out waste, fraud and abuse. We passed a bill to strengthen inspectors general in this House by a vote of 404-11, an overwhelming bipartisan majority. And guess what the administration response was? They threatened to veto that bill. Veto a bill that enjoyed the support of 404 House Members, overwhelming bipartisan support.

I think we need to keep on strengthening inspectors general because they are finding problems with U.S. taxpayer dollars, and we need to root out all this waste, fraud and abuse.

The other topic I wanted to focus on tonight is a different measure. And as important as the war in Iraq is, as important as it is to find misspent U.S. dollars, this topic is even bigger. This

has to do with overall U.S. entitlement spending. And the proposal is H.R. 3654. We call it the SAFE Act. What it would do, and my bipartisan cosponsor is FRANK WOLF of Virginia. David Broder actually commented on this bill in his national column today in the newspaper. What it would do is set up a bipartisan commission to study the problem of entitlements for 1 year, then by the time the next President is sworn in, give that new President a commission recommendation that's completely bipartisan, a 50/50 commission. All issues are on the table, so there's no favoritism, no exclusion of certain hot-button issues. And Congress would be required to vote up or down on the finding of that commission as well as on any proposal that the new President or this Congress would like to make.

But the key is, this commission would have teeth. Congress would have to act. Reforms would have to take place, because if you look at our overall entitlement spending, there are severe problems.

According to the U.S. Treasury Department, Medicare alone, which is one of the most important programs in America, Medicare alone is \$32 trillion in the hole. \$32 trillion. That's many times larger of course than even \$32 billion. This is \$32 trillion. And their estimate is, if we knew how to measure it, that Medicaid would be in a similar bind. That's probably more than this Congress can handle in terms of problem solving this late in the session, so that's why we think that a bipartisan commission will do the best job and the fairest job and the most bipartisan job of coming up with a solution that we can all support to solve these fundamental fiscal problems.

So I would encourage my colleagues to look at H.R. 3654, the SAFE Act, to try to remedy the entitlement crisis that we face in this country. A wide group of folks from all sides of the political spectrum have supported this measure: the Bipartisan Concord Coalition, for example, the Committee for a Responsible Federal Budget, the Heritage Foundation on the right and the Brookings Foundation, which is more of a nonpartisan organization. So we have wide bipartisan support from the think tanks. We have wide bipartisan support in this body, with some 25 Members from each side of the aisle cosponsoring the measure already. So I hope most of my colleagues can see their way clear to going ahead and cosponsoring H.R. 3654.

But I want to thank my colleague from Arkansas, as my friend from Florida has said earlier, you've taken the lead on many weeks now to bring the message of the Blue Dogs to the American people, that message of fiscal conservatism, that message of centrism, that message of common sense and trying to do what's right for our country.

We're fortunate in the Blue Dogs to have members from all corners of the country, from California to Maine, from Florida to Washington, it's a wide

and diverse group, and we're proud of that. But the most important thing is the common sense we try to bring to these debates, because these shouldn't be highly partisan debates. Most Americans can agree when they get around the kitchen table or meet at the Rotary Club back home on what the right thing to do is for the country. We should show a similar amount of common sense here in Washington. So I thank my colleague from Arkansas, Mr. ROSS, for holding this important Special Order.

Mr. ROSS. I thank my colleague and former policy cochair for the Blue Dogs from Tennessee, Mr. COOPER, for his insight on not only Iraq war spending but these other fiscal responsibilities, trying to restore fiscal responsibility to our government and those issues surrounding that.

You mentioned Medicare. Medicare is health insurance for, basically, it's the only form of health insurance most seniors have to either stay healthy or get well, not to be confused with Medicaid, which is health insurance for the poor, the disabled, and the elderly.

Your bill, as you discuss the entitlement programs and find ways to put an end to these deficits, I applaud you for trying to do this in a bipartisan manner and having support on both sides of the aisle.

Do you have any other examples you'd like to share with us on this legislation?

Mr. COOPER. Well, we probably should mention the meeting that you and I had with all the other Blue Dogs with three remarkably distinguished Americans this afternoon because they, too, gave us some insight in our current fiscal situation in this country. I don't think you've mentioned this before earlier in the hour, but former Secretary of Treasury Bob Rubin came to meet with us, as well as former Secretary of Treasury Larry Summers, as well as former Deputy Secretary of the Treasury Roger Altman. One of our group called them actually the dream team of treasury management in recent American history, because under Secretary Rubin, Summers and Altman, we had 8 of the greatest years of growth in all of American history, certainly the longest sustained period since World War II. It was an amazing performance, an amazing feat, one that I hope that future treasury secretaries can try to live up to.

But the key was sound fiscal management. Secretary Rubin in particular set the tone by making sure that the markets in this country were strong, making sure that growth was strong, making sure that prosperity was strong. So it was an amazing thing to hear these three gentlemen.

And they're very concerned today because, unlike the surpluses that were being accumulated in the Clinton administration, especially in the last 3 years, now, of course we've sunk into terrible deficits. And they basically told us today that our number one

problem is a lack of savings in this country, a lack of personal savings, because the average American is having trouble paying their bills, doesn't put anything away for a rainy day, too tempted by credit cards, have to buy things. And now the Christmas season is coming up so there's a lack of personal savings, but there's also a huge lack of government savings, because when you run a large deficit, as we're doing, that's dissavings. That's the opposite of savings. So they pointed out that both things are problems for this country.

And I know the gentleman also enjoyed their presentation. It was quite an honor for the Blue Dogs to have them ask us to share a few thoughts with them. And they are promoting, of course, their Hamilton Project, which is a centrist think tank here in Washington supported by these gentlemen and others to try to bring more common sense to Washington policy debates and economics.

But I thank the gentleman for referring to those issues.

Mr. ROSS. It was a fascinating discussion, and you raise a good point, and that is that it wasn't too long ago that Members of Congress were coming to this floor to debate how to spend a budget surplus, how to invest a budget surplus. You know, it was under President Clinton. I'm proud to say it was a fellow Arkansan from my home town of Hope, Arkansas, where I grew up and graduated high school, who gave us the first balanced budget of any Democrat or Republican President for the first time in what, 40 years?

Mr. COOPER. Since 1969.

Mr. ROSS. And he did that. There were several contributing factors that allowed him to be able to lead us in that direction, one of which was having what's called PAYGO rules on the floor of this very House, something the Republican leadership threw out the door with this new Republican President back in 2001. And what PAYGO rules mean is it means pay as you go. PAYGO is an acronym for pay as you go, which means exactly what it sounds like it means. If you've got an idea for a new program that's going to cost money, you've got to show how you're going to pay for it. No more of just borrowing money from China. If you want to cut taxes for folks earning over \$400,000 a year, you've got to show how you're going to pay for it. No more borrowing money from China.

And I'm proud to tell you that in this new Democratic Congress, there's a lot of discussion about the first 100 legislative hours where we raised the Federal minimum wage and where we implemented the 9/11 Commission recommendations, where we said Members of Congress who break the law will no longer receive a pension, where we passed earmark reform, where we have passed SCHIP to ensure that the children of working parents receive health care. We've done a lot in this session of Congress. Unfortunately, a lot of it is

sitting over on the Senate's doorsteps waiting for Senate action, which is somewhat disappointing for a lot of us that come here every week and work hard to pass these policy initiatives that are good for working families, good for children and good for seniors.

But not in the first legislative 100 hours, not in the first 9 months of this new 110th Congress under a Democratic majority, but in the first hour on this very floor of the United States House of Representatives, this new Democratic Congress reinstituted a House rule known as PAYGO.

You want to expand on that?

Mr. COOPER. Well, the gentleman's exactly right. An authority of no less than Alan Greenspan said that PAYGO was the most important reform that this Congress could undertake to right our fiscal imbalance.

PAYGO was actually started under the first President Bush in 1990. It was instituted on a bipartisan basis. It worked extremely well for 12 years, from 1990 to 2002. And then sadly the Republican majority here allowed it to expire. And that's when, really, our fiscal wheels started running off the track.

So we swung from a surplus, a surplus that was growing so fast there was actually fear that the United States would be debt free, as if you could be afraid of that, that would have been a glorious moment in our history for our children to be unburdened by interest payments and future generations. That was the prospect when President Clinton left office.

And then to swing from that into, as all Blue Dogs have, we have the debt sign outside of our office. Now it's \$9 billion, \$29,000 for every man, woman and child in this country. But it's growing so rapidly. And that doesn't even take into account our Medicare, our Social Security, our Medicaid and other entitlement program liabilities. So it's a monster of a problem, and it's going to take a bipartisan commission to deal with it.

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But PAYGO, according to Alan Greenspan and other authorities, was the single most important reform step that we could undertake. The Blue Dogs are responsible for that reform. It's working. I am proud of our Democratic leadership here because they have been remarkably strict in making sure that every bill that reaches this House floor adheres to PAYGO requirements.

And as you said, it is completely common sense. If you want something new, pay for it. Don't charge it. And that is the way America needs to be acting in the future.

So I think it will not inhibit new ideas. It will just make sure that new ideas are fiscally responsible and paid for so we are not adding to the debt load of our kids and grandkids, and, as the gentleman said, not borrowing any more money from foreign countries,

because we've done too much of that already.

Many Americans don't realize that President Bush, his administration, has already borrowed more money from foreign nations than all previous Presidents in American history put together. What a sad record to hold, to have borrowed more money from foreign nations than all previous Presidents in American history combined. That's not good medicine for America. That's not good fiscal policy. And the Blue Dogs are leading the way in helping to change that.

Mr. ROSS. That is a national security issue, in my opinion, Mr. COOPER. What if those countries decide to call those loans? What does that mean? The "dream team," Mr. Rubin and the others told us today what it meant, and I think you asked the question. And it means higher interest rates. They will have to raise interest rates in this country to where it's attractive for other countries to buy our paper, to buy our money. That is, I think, directly a threat to our national security.

And to put it in perspective, the total national debt from 1789 through 2000 was \$5.67 trillion. But by 2010, the total national debt will have increased to \$10.88 trillion under this Republican President's administration and under his budgets that he sends to Congress. This is a doubling, a doubling, of the 211-year debt in just 10 years. Interest payments on this debt are one of the fastest-growing parts of the Federal budget, and the debt tax is one that cannot be repealed. For every man, woman, and child in this country, you take the national debt and divide by the number of people. It is about \$29,000 per person. And that is one tax that cannot be cut until we get our Nation's fiscal house in order.

Our Nation, under this Republican President's budget, is borrowing about a billion dollars a day. But before we borrow another billion dollars a day, we are spending about a half billion paying interest on the debt we have already got.

This puts it in perspective. Interest payments on debt dwarf other priorities, the 2008 budget authority in the billions of dollars. The red box is the amount of money, your tax money, Mr. Speaker, that is going to pay interest on the national debt, to repay the loans to places like Japan and China and the United Kingdom and OPEC and Korea and Taiwan and the Caribbean Banking Centers and Hong Kong and Germany and Mexico.

We talk a lot about education. We talk about how we want our children to receive a world-class education. But the turquoise box, this box, Mr. Speaker, reflects how much of your tax money is going to educate our children compared with the amount going in the red to pay interest on the national debt.

We say we want to keep our promises to our veterans. We say we want to provide our veterans with world-class

health care and housing and education when they return home. But in the green box, Mr. Speaker, you will see the amount of money we're spending on our veterans compared to the red box, the amount of money being spent on interest on the national debt.

And, finally, the purple box, homeland security. Now, I came here in 2001. The first 9 months of 2001, I don't think I ever heard the word "homeland security" mentioned once. But that is now a household name, a household phrase, a household word. Homeland security. It make us feel good. We go through the metal detectors at the airport and we feel safer. We take our shoes off and I always take my pen out of my pocket, and we feel safer. And what most of us don't know is about half the belly of a plane is not your suitcase that you saw X-rayed. It's freight, freight that continues to go unchecked. About one out of every 100 containers that enter our ports, five out of every 100 containers, maybe 10 out of every 100 containers that enter our ports are checked.

And what about the food we put in our body? Mr. Speaker, for all the seafood and fruits and vegetables that come into this country from other countries by way of port, do you know how many FDA inspectors there are at those ports? Not per port. But for all the ports in America. For all the seafood, fruits, and vegetables coming into America from all over the world, there are about 70 FDA inspectors. Not per port, not per shift, not counting the ones that aren't sick or on vacation. There are 70 total. Homeland security, the purple box, this is how much we are really investing in protecting our homeland. And that is why a recent nonpartisan assessment indicated that we are less safe today in America than we were on September 11, 2001.

These priorities, education, veterans, homeland security, will continue to go unmet until we get our Nation's fiscal house in order.

Deficits matter. They reduce economic growth. They burden our children and grandchildren with liabilities. They increase our reliance on foreign lenders who, as Mr. COOPER pointed out, now own 40 percent of our debt. That's right. Our Nation, the U.S., is becoming increasingly dependent on foreign lenders. Foreign lenders currently hold a total of \$2.199 trillion of our public debt. Compare that to only \$623.3 billion in foreign holdings in 1993. It's kind of like David Letterman and his top 10 list. The top 10 countries, this Republican administration, this Republican Congress for the past 6 years time after time after time has borrowed money from foreigners to fund tax cuts in this country for folks earning over \$400,000 a year.

And whom have we borrowed the money from? Japan, \$637.4 billion; China, \$346.5 billion; United Kingdom, \$223.5 billion; OPEC, \$97.1 billion; Korea, \$67.7 billion; Taiwan, \$63.2 billion; Caribbean Banking Centers, \$63.6

billion; Hong Kong, \$51 billion; Germany, \$52.1 billion.

And rounding out my version of David Letterman's top 10 list, the 10th country that we have borrowed the most money from, number 10 on the list, all this debate these days about immigration policies, and I think we do need to secure the border and I think that we should have those who want to come here and live among us play by the rules, respect our laws, learn English, respect our flag. I believe those things. No amnesty, as Mr. Reagan gave us during his years in office. We learned that doesn't work. But rounding out the top 10, while everybody is focused on immigration: Mexico. The United States of America has borrowed \$38.2 billion from Mexico to fund tax cuts in this country for folks earning over \$400,000 a year. Those are the facts.

I am pleased to be joined by a fellow Blue Dog from the State of North Carolina, Mr. MIKE MCINTYRE.

I yield to the gentleman.

Mr. MCINTYRE. Thank you, Congressman ROSS, for yielding and thank you for leading this discussion, a very important one, to show the Blue Dogs' commitment to common sense with regard to the American taxpayers' dollar.

And I want to focus, in the few moments we have left, on our commitment to helping business, American businesses, that provide jobs. We know that the Blue Dog Coalition has tried to do everything it could to help our businesses, especially small business, as many of our districts we know look to small business to help that economic engine churn. Indeed, 99 percent of all business is small business. And when we talk about that, it means that we have an opportunity to work with businesses who help to provide better health care for their employees, who also help people to pursue their dreams and provide college education for their children, who help their family members with their personal needs and through our small businesses who help not only with charitable contributions in their communities but community leadership, civic engagement, and a myriad of other positive activities that affect the American family and, indeed, our American communities.

I want to talk about for a moment how we are doing that in very specific ways when we look at prosperity and the protection and the progress we have made in trying to help small business. And what it means is that we use a commonsense approach when it comes to our checkbook, that we don't spend more money than we have, than any of us would do in our own checkbook. And there are three specific ways that I want to remind us this year that the Blue Dogs have sought to do this. And that is through a package that we introduced a few months ago and are continuing to work on that has different ways that we can put together legislation to restore fiscal discipline to the Federal Government after years

of budgetary mismanagement and irresponsible deficit spending.

The first part of this legislation is the Blue Dog fiscal accountability package. It is the opportunity for us to be able to strengthen fiscal responsibility and accountability by making sure we do follow the statutory PAYGO rules, or pay-as-you-go, a commonsense term that our leadership has adopted to make sure that we are implementing multiyear discretionary spending caps. This would make sure that we are not spending any more of the taxpayer dollars than we have in our budget, that we get out of the habit of running up the national debt.

And as you pointed out earlier tonight, right now the national debt stands at a figure that means about \$29,888 for every man, woman, and child in America. And that is totally unacceptable.

The second part of our legislative package, in addition to making sure we have accountability and honesty in our budgeting, is the Balanced Budget amendment, which so many of us have supported, to provide a constitutional amendment requiring Congress to balance the Federal budget every year. This legislation allows for flexibility during times of war, natural disaster, or economic downturn by giving Congress the ability to waive the balanced budget requirement with a three-fifths vote in the House and Senate. And it also prohibits cuts in Social Security benefits from ever being used in order to balance the budget. So it protects our senior citizens as well.

We have got to make sure that we are paying down this national debt. It's not fair to mortgage our children's future. It's not fair to mortgage our grandchildren's future. It's not fair to put a price tag on every baby born in every hospital in America of \$29,000 in debt from the second they take their first breath. And that bill is being put not only on children but on family members of all ages, even our senior citizens. That has to stop.

The third piece of legislation we have also deals with strengthening the budget process, to make sure the Members of Congress have a sufficient amount of time to properly examine legislation and its actual cost implications, to make sure there is transparency in the process and requiring the Congressional Budget Office to have a cost estimate accompany any bill or conference report that comes to the House floor.

And, Mr. Speaker, these are only practical ways that the Blue Dogs are seeking to make sure we have honesty, transparency, and common sense in our budgetary process. The central guiding battle cry that we as Blue Dogs have is make sure that we are accountable and make sure that the taxpayers' dollar is only being used in the most fiscally responsible way, as any of us would want done with our own money. After all, it is the taxpayers' dollars, and that is to whom we are accountable and want to honor.

Thank you for this opportunity to address this to my colleague, and, Mr. Speaker, it is about prosperity for the American Dream. It is about protecting the American taxpayers' dollars and about making sure that we are working together for progress in our society.

Mr. ROSS. Mr. Speaker, I thank the gentleman from North Carolina.

In the remaining four or five minutes we have, I want to turn this over to one of the founders, one of the long-time leaders of the fiscally conservative Democratic Blue Dog Coalition, and that is my friend from Iowa, Mr. LEONARD BOSWELL.

Mr. BOSWELL. Thank you, MIKE. I appreciate my friend from Arkansas giving me this opportunity. And I want to compliment you for the untiring hours you've spent in trying to tell this Nation, this Congress, and all who will listen that it is time to be fiscally responsible. It has been for some time.

And I would like to associate myself with my friend from North Carolina in the comments he just made. Very, very germane to what is going on in our country today. In fact, around the world. And as you can tell, Mr. ROSS, I am one of the older folks around here. I don't know if that's something I should be proud of. I guess I'm proud versus the alternative. But oftentimes people say to me, You're going to be all right. Why are you worried about it so much?

Well, I am worried about it. Yes, at my age I suppose I'm going to be all right. But you know what? I have children and I have grandchildren and I am very proud of them, and I want them to have the opportunities.

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In fact, just like you and you and you and anybody else that's paying attention, we all want it better for our children, that's just inherent. And they're not going to have that opportunity if we don't do something about this. And that's what you display right there on that chart.

That figure of \$9 trillion-plus is staggering, and it's growing; it has been for the last number of years. And we went from the opportunity of being in a surplus to this unbelievable deficit situation. And it really ties our hands as to what we can do as we think about our leadership in the world we know today.

This very day I'm quite sure that we've had people from our Treasury Department over in China trying to borrow money so we can continue to run on deficit, and this just won't work. You can't do your business in Arkansas, you can't do it in North Carolina, I can't do it in Iowa, nobody can.

There comes a time when you have to face reality. And Mr. Stenholm used to tell us from time to time that if you realize you're in trouble and going into a hole, the first thing you do is quit digging. And there is something to that. Well, we need to do it, and we need to do it badly.

So, I am pleased to associate with the Blue Dog Coalition, I have been for some time, and the leadership that Mr. ROSS and others, Mr. BOYD and others, have given to trying to make this point come to life in the sense that we've got to do it for our country and for our kids and our grandkids. This is something we must do, and there is just no choice about it.

I think there is a lot of hope for us in the world that we're living in today. I have a lot of hope, and I want to keep it that way. At the same time, I'm fully aware from my travels and from my life experience that the world is in a perilous situation. And we won't always be in this leadership position if we don't take a hold and get our arms around this situation. But we've got to do it.

And as we well know, the time is now at hand, I think it's already here, that China is a superpower. They are certainly going to be if they're not; I think they probably are. India, the demands they're putting on us. The big trade deficits we've got, we can't sustain those. And you put all this in line with this tremendous debt we have and what we're paying for interest annually, it equates to something like \$250 billion a year. It equates to one of our major line items for our department. We can't afford to do that, and we have to face reality.

So, I really appreciate the efforts being made by you, Mike, and all of us to try to do something about this, and the fact that the leadership of this Congress has accepted our idea of PAYGO. And it's something we have decided upon and we've got to stick to it. There are going to be a lot of temptations to vary from that. And as we went into the farm bill, for example, it was so hard to do it, but we stuck with it, we worked hard and we came up with a viable solution. We've got to do it in all the things that lay before us. We've got to set the priorities and get those things done.

I see the time is about up. So I yield back to you, Mr. ROSS, for the closing comment, if you would like. I just want to say I appreciate coming here this evening and sharing some of my concerns for this situation at hand. We have to take it as a real situation. It's here. And if we don't do our job, we're going to leave it on our children and our grandchildren, and we don't want to do that.

Mr. ROSS. I thank the gentleman from Iowa.

The gentleman from North Carolina.

Mr. BOSWELL. Just the last word I'll say is we always want to remember it's the taxpayers' money. It's not Washington's money, it's not the government's money, it's the taxpayers' money, and we want to do everything we can to make sure that everything is honored. That's the Blue Dogs' battle cry, and that's where we stand. And I thank you for this opportunity to share in this.

Mr. ROSS. Mr. Speaker, this evening you've heard from Blue Dog members

from Kansas, Florida, Tennessee, North Carolina, Iowa and Arkansas. And we're a group of 47 fiscally conservative Democrats that are simply trying to restore common sense and fiscal discipline to our Nation's Government as we try to offer up commonsense, practical ways to put an end to this reckless spending and hold this government accountable for how your tax money is being spent.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you here on the floor of the United States House of Representatives.

And having been a speaker in waiting, I had the privilege to listen to some of the Blue Dogs talk about their budgetary priorities. And I also listened to the reflection of the individual from Iowa, whose cows I represent down there in my territory. And we are good neighbors and we've worked together over the last 5 years that I have been in this Congress.

There always are two sides to an issue, and a number of the statements that were made here I absolutely agree with. I would submit, though, that there is a distinction between us, and that is, I want a balanced budget. I worked for a balanced budget. I called for a balanced budget upon my arrival in this Congress 5 years ago. I've sought to produce those numbers and get that language out on the floor.

My Blue Dog friends also call for a balanced budget, but they're willing to raise the taxes. And they have offered several budgets to this Congress that would have raised taxes in order to balance this budget.

I would submit that we need to balance the budget a different way. We need to do it by controlling spending. And we can do a better job of controlling discretionary spending, but in there is not the answer, not the complete answer to the things that we need to do.

The tax cuts that came from the Bush administration immediately following September 11, 2001, and the next wave of tax cuts that we did in 2003 have stimulated this economy, and they have probably kept us from a recession and maybe even a depression. So, Mr. Speaker, I would submit this: I would take your reflection back to that period of time that was in the end of the Clinton administration, during the campaign of the Bush-Gore campaign in the year 1999 and 2000 and the beginning of the Bush administration. We had this growing, booming economy, and it coupled with serious spending cuts that were brought forth on the floor of this Congress by Republican leadership, the new Republican leadership that arrived here, elected in 1994, sworn in here in the first week of January of 1995, and came in and said, we're

going to do these 10 things, and we're going to work towards a balanced budget. And they actually didn't know that they could accomplish that. But as they brought the spending restraint and the cuts and the efforts to eliminate entire departments, unsuccessful, I might add, Mr. Speaker, that constrained this growth in spending. And by the way, they didn't have any inhibitions about cutting down and limiting the spending that President Clinton wanted to do at the time. They had political opposition, so points were being scored on both sides. And while that was going on, we were holding this budget down. In fact, the government went into shutdown. And there was a time when I thought that the leadership in this Congress should not have blinked. But in the end, regardless of who got the blame, this Congress, had it not had the majority that was here, and I would point out to the Speaker that that was a Republican majority, we would not have had a balanced budget in the 1990s. You would not have seen John Kasich with a T-shirt that said "back in the black" with the line of our spending cut down and where we were going into solvency.

But we got into solvency. And I don't get the credit for that, I wasn't here at the time. This Congress got into solvency because it had solid, conservative leadership. And then, as the administration changed from the Clinton administration, which has been lauded here tonight, I believe, to the Bush administration, at the same time we had a dot-com bubble in our economy, there was a growth on Wall Street that capital was being attracted to the information age, that type of industry. And there was a belief that because technology had taken the microchip to the level where we could store and transfer energy more effectively and more efficiently than ever before, there were billions of dollars speculated in dot-com companies on the idea that, with all this technology, we are transitioning from the industrial age into the information age.

And as we go into the information age, Mr. Speaker, the capital that was attracted to those businesses was capital that simply was placed upon the speculation that, because we could transfer and store information more efficiently than ever before, somehow these companies that were formed for that purpose would be able to all make a profit. But the bubble, when it burst, it was the realization that this information, just because we could store it and transfer it more effectively than ever before, didn't necessarily transfer into profit. It couldn't be translated directly into profit because the information storage and transferability that came with the information age, that actually caused the information age, that ability was predicated upon how that information could provide a good or a service more efficiently, or to the extent that that information could be used for recreational purposes.

Now, we understand the good or the service being provided more efficiently. Look at the things that we can do with tracking inventory, for example, or dispatching trucks on the roads of America with the satellite transponders, to be able to sit there at a software screen, if you're dispatching trucks in a nationwide or continentwide trucking company, and be able to see on that screen a little dot where every truck is, be able to click on that and find out when that truck got its last rest, how much rest the driver had, what the maintenance is on the truck, what the cargo is, what the delivery time is, how many miles are left, and be able to have that software package give you a warning on when a load might be late. And we went from keeping significant inventories in our warehouses in America to just-in-time delivery, partly because we could do a more effective job of dispatching trucks.

That's just one of the things that came with the information age, and that's efficiencies that came into this because of being able to store and transfer and calculate more efficiently than ever before. But, a miscalculation that was made by Wall Street was a miscalculation that, because we could store and transfer and calculate more effectively, that it all translated into profit. It did not.

And so the speculators on Wall Street and into the private companies, whether they were publicly traded or whether they were privately traded companies, the speculation part of that was the dot-com bubble. And it burst. And it burst kind of slowly, not like a balloon pop, but kind of a slow letting out of the air. And as that bubble collapsed, that transitioned across the end of the Clinton administration into the beginnings of the Bush administration. And while that was going on, we had corruption that emerged within major companies, within major corporations within the United States. And we know who some of them are, Enron, for example.

And so, as this corruption was corrected and as we saw legislation being passed in this Congress and signed by the President, there was also downward pressure on our stock market because they didn't know how much regulation they were going to get from this Congress, under the pen of the President, what was going to happen. So, how would this Congress react?

Well, as that debate went on, as we began to clean up the corruption that emerged, and thankfully that did happen to a large degree, that went on top of the slow letting out of the air, I call it the bursting of the dot-com bubble, those two pressures downward came downward on our economy. Well, we know that our tax collections are also predicated upon how strong our economy is. And if we have growth, we will have more taxes; if we have a decline, we will have fewer taxes. With the dot-com bubble bursting and the corruption that was being ad-

ressed, both suppressed our economy and the tax revenues declined.

While this was going on and as the President was getting his feel of coming into the Oval Office and beginning to become the newly sworn President of the United States, January until September, in September of that same year that the President was sworn in, while he is dealing with the bursting of the dot-com bubble and the corporation corruption, and while this Congress is as well, we had the September 11 attack on the Twin Towers, on the Pentagon, and a plane that crashed in Pennsylvania. That was a direct attack on our national defense center and a direct attack on our financial centers.

And so, Mr. Speaker, all of these things came descending down upon this Nation, focused like a laser beam on the responsibilities of the President of the United States. And the President responded by calling for tax cuts in a wave that came pretty closely after the September 11th attacks. While we were ramping up our defense, while we were ramping up homeland security, while we were setting up the TSA, and today we walk through the airports and there are billions that have been spent for the security just to board airplanes, and you add that to the cost of the expansion of our military, the cost that came because we went, appropriately, into Afghanistan and then in the following year and a half we went then on into Iraq, all of these things were pressures on this economy. And all of them worked against a balanced budget that, the last number I saw it looked like we were going to come in about \$158 billion in the red, \$158 billion, and one could speculate as to whether that is a hard number, whether it might go up or whether it might go down as a percentage of our overall budget, tells me if we would have had hard-nosed fiscal discipline even on the discretionary spending just in the time that I have been here in 5 years, we would have reached a balanced budget. We would have gotten there just by having spending discipline, not the discipline that says I want to increase spending because I think I see these needs, and if I'm going to do that, then I want to increase taxes. That's the approach that comes, and, admittedly, the Blue Dogs have more discipline than a lot of the folks on their side of the aisle, but they don't have as much spending discipline as I have. I would pull this thing right on down and I would set it out and say, we can get to a balanced budget by having discipline and discretionary spending.

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But, Mr. Speaker, that is not really the answer either. That is a constant fight, and it is a diminishing effort to slow down and eventually reduce discretionary spending to balance the budget because the more we do that, it is working in the right direction because it slows growth in government and it holds more personal responsibility and so less spending creates less

dependency. Those are all good things, Mr. Speaker.

But the other side of this is that while we are talking about discretionary spending, the huge elephants in the room, one might speak, or should I say the gorilla in the room, I hesitate to say the donkey in the room, but those huge gorillas in the room are this: Medicare; Social Security; to a lesser extent Medicaid; the entitlements; and then, of course, the growing interest, which we heard about from the Blue Dogs, the growing cost of maintaining the interest. But Medicare and Social Security are the two big ones.

As the President stepped out from his second inaugural address that took place in January right out here in the west portico of the Capitol Building in January 2005 and talked about the position we were in as a Nation and we were poised to hopefully end the war in Iraq and move forward with our economy; the two rounds of tax cuts that we had done had succeeded in rebounding this economy and got us back into a growth mode again, and today we are sitting on 49 consecutive months of growth. Astonishing.

There are astonishing measures of the economic growth in this country. But the President stepped out from that west portico and invested his political capital in addressing the Social Security entitlement, a huge burden that is coming at us. As I listen to the Blue Dogs talk about Social Security, I didn't hear them talk about, this is a bit of an old number, but a number that I recall from a couple of years ago and is at least representative and it will not be precisely accurate today but slightly dated, \$1.7 trillion in the Social Security trust fund. That was there a couple of years ago. That trust fund continues to grow today because we are collecting more Social Security than it takes to pay the benefits out to the people that are the recipients of that Social Security.

Now, Mr. Speaker, I don't submit that where we are with this is a good idea. I point that out that there is an account there that presumably we could draw from that is going to address this big entitlement. But it works out like this. Even if that money were going into a lock box, as some said it was, even if that were an account that grew interest at \$1.7 trillion and add some more in there over the last couple of years to get that number up, it is probably approaching \$2 trillion or more by now, the accumulation in that account goes, it accumulates until about the year 2016. And then it goes the other way. Then we start spending more than we are taking in. And from that year forward, that roughly \$2 trillion that will be in there will be spent down by the year, and these numbers aren't the freshest again, but in the neighborhood of 2042, by then the Social Security trust fund is broke. Then what do we do?

I would submit, Mr. Speaker, that, first of all, it wasn't a good idea to put

the Social Security money into a trust fund if we were going to spend the money from the trust fund and put it into the general fund. If we were going to borrow the money from the Social Security trust fund and spend it with our overall budget, which we have been doing, that breaks faith with idea that there is a trust fund, because in the end it is an accounting gimmick.

I have in my file somewhere, an electronic file of one of the bonds that are on file. This Social Security trust fund that is approaching \$2 trillion is the accounting of it is, yes, electronically but also it is an accounting that is paperwork, actual bonds that are printed on paper that is identical to this paper worth no more than probably not as much as a blank sheet of paper from a copy machine, 8½ by 11. They print these off. I have one that is a sample. I believe it is \$3.54 billion on that little sheet of paper that says trust fund account bond for the Social Security trust fund. Those original documents, Mr. Speaker, are on file in a filing cabinet in Parkersburg, West Virginia, ROBERT BYRD's district, and they are there because some enterprising Senator passed legislation that said, you will keep a paper accounting of the Social Security trust fund.

Well, the paper is an accounting. The electronics is an accounting. But the accountability of our Social Security trust fund is the full faith and credit of the people of the United States as represented through the United States Congress, and when the day comes that we need to tap into that Social Security trust fund, which will be a day in about the year 2016 when we start tapping into that, there isn't any money there. It is only there on IOUs from the government to the government, which is the equivalent of writing yourself an IOU and putting it in your pocket. The value is only the value that it reminds us that we have this obligation to keep our sacred trust with the senior citizens of America. I am pledged to do that. Our President is pledged to do that. I think that that is something that is a universal opinion between Democrats and Republicans in this Congress, that we keep our sacred trust with the seniors in America, that we do not diminish their benefits, their anticipated promised benefits, that we keep that intact, that we don't increase the contribution rate, we keep that intact.

But something that we have done if we had had the support of the Blue Dogs, because the Republicans were in support of this, was the President's proposal that we offer people the opportunity if they were young enough to make the actuarials work out, a personal retirement account that could begin to transition some people off of Social Security. They get their Social Security benefits too, but it would supplement that, and then the need to increase that would have diminished over time.

We couldn't get there, Mr. Speaker. We couldn't reform the huge entitle-

ment of Social Security even to keep it actuarially sound. Some said it is a political third rail the President should never have touched. The President says it is a third rail that you if you don't touch it, it is the third rail, but he couldn't and we couldn't get the job done to reform Social Security even though there was no down side for senior citizens, at least a level guaranteed to them, even though there was only an upside for the younger generations, and one of the reasons is the issue got demagogued across this country dramatically.

The President did at least 30 stops across the country. He articulated what this was about. It would have been good if he would have had spokesmen and women from the younger generation, the under-30-somethings that were half as vocal as the 30-somethings that come out here on the floor that would speak up for their opportunity to be able to ensure their retirement without having to become financially destitute when you get from that point where we start out 16 workers for every one retired at the beginning of Social Security, where we are about three to one now and where we will soon get to two to one under this current program.

Mr. Speaker, we need to look into the future. We need a long-term planning approach to the things we do in this Congress. And this electoral process does anything but. It focuses Members on the idea that you get elected, you come down here and swear into office and while you are doing that, there is someone announcing their candidacy to run against you. They're home in the district 6 or 7 days in a week, stabbing you in the media, raising money and trying to unseat you. You are supposed to concentrate on policy when you have someone trying to unseat your political survival from the day you swore in, and you are up for reelection in 2 years.

So this constitutional system that we have, in fact, it is one that I appreciate and revere. In a lot of ways it makes us very responsive to the public. Our fingers are on their pulse. They let us know; we react quickly. This House can move more quickly than the Senate by far if we decide to do it. That is a good thing.

The bad thing is if I called a meeting and said, we are going to start a new long-term planning caucus here in the United States Congress, and invite all 435 Members, you know, if I ordered a lot of good food and advertised it, some would show up. And then after the next week and the next week and the next week, pretty soon there will only be a small handful of people that would be working on something like that just because the system is set up where it focuses us on the things that are urgent, sometimes at the expense of the policy that is important. That is the down side of this constitutional system that sets us up for reelections every 2 years. But if you give us a lifetime tenure, I'm not sure we would solve the problem either.

And you go over to the Senate side and there every 6 years a third of them up for reelection every election cycle and they don't seem to have a lot more interest in long-term planning than we do over here.

So I look to Wall Street. I look to major corporations. I look to the business communities in America for leadership. I am wondering what are they putting together so that we can have economic viability and a healthy populace that can be raising families and bringing up the next generation so that we can continue this American Dream. I watch what they do, and I get the unalterable message from them that their real focus is on their next quarterly report.

Well, I understand that. You have got to produce profit for your investors, and the board of directors is telling you what they want you to do. But where is the leadership in America for long-term vision? Where is the leadership that will take us down this path where we will eventually get to solve the Social Security problem, to solve the Medicare problem, and I will submit the words of George Will which were, democracies function under the lash of necessity.

And we haven't reached the lash of necessity if we are talking about actuarial tables that start going into zero on the Social Security trust fund in 2016 nor a fund that runs out to zero in 2042. That is not the lash of necessity. We need the American people to be looking ahead and demanding that we put long-term plans in place. And that is important that the media, that the philosophers, that the writers, the people that are opinion leaders in America join with us so we can put the pieces in place for a long-term solution to Social Security, Medicare, Medicaid to a lesser degree. All that solves the interest problem, and even then, if we simply had discipline in our spending, we can solve this all with growth, Mr. Speaker.

So if the Blue Dogs want to talk about getting to a balanced budget, I am for that. Let's do so. Let's do it by spending discipline. Let's do it by reforming Medicare. Let's do it by reforming Social Security. By the way, I have a couple of ideas for you on Medicaid. If we can do those things, this budget becomes easy. We need to index our spending then to the factor of inflation which should keep us down below the revenue stream when we have the economic growth that we have if we have good favorable tax policies.

I can go on into subject matter that has to do with reforming the Tax Code that eliminates the IRS and eliminates the entire income tax code. It untaxes all the production in America and puts it on consumption. Mr. Speaker, I would take us all down that path, and I may well run out of time before I can get to that.

But I wanted to address the concerns that were raised by the Blue Dogs. And

I would point out that to compare spending, the spending of the National debt to the amount of money that we spend in this Congress on education, I can look through this Constitution that I have in my pocket, and I can't find anything in there that says, thou shalt extract money from the taxpayers to fund education. It is not comparable to the National debt. It is not relevant to the National debt. To the extent we make the decision that we want to invest in education, it is not something that is a legitimate measure.

Neither is it a legitimate measure on the part of the Members on the other side of the aisle. And I believe that includes the Blue Dogs as well. Neither is it a legitimate measure to argue that because we spend billions of dollars in Iraq, we ought to spend billions of dollars on SCHIP. There is no legitimate measure. They are not linked. They can't be linked. But if you want to link them, if you choose to link SCHIP spending to the global war on terror, to the funding that supports our men and women whose lives are on the line in places like Afghanistan and Iraq and other places around the world, if that is your will, to link that spending, then let me associate this for you.

I point it out this way, Mr. Speaker, that if it is a zero sum game, and by presumption it is a zero sum game if we are going to compare national defense spending to the State Children's Health Insurance Program, then the zero sum game comes down to this: How many bullet-proof vests would you deprive our soldiers and marines of in order to fund health insurance for middle, let me say, upper-income kids? Because we are talking about a Congress that passed subsidy for health insurance premiums for families in my State up over \$103,000; \$103,250, 400 percent of poverty. That was the Pelosi plan. That was, Mr. Speaker, the 400 percent of poverty that passed off the floor of this Congress.

I submit that subsidizing health insurance premiums when people are making over \$103,000 a year is an irresponsible expansion of this budget. It cannot be defended within the context of the previous hour that was delivered by the Blue Dogs. It can't be defended by anyone unless it is their will and their intent to move us to socialized medicine.

What is our line here? I will argue that in the 1990s we passed welfare reform. This welfare reform was called workfare in a lot of cases, to move people off of the multigenerational dependency on welfare, move them into work, transition them smoothly so they could get there and observe and recognize and act upon the reality that when people moved off of welfare when they started to earn more income, they would no longer qualify for Medicaid which was, of course, the health care that is provided for the low-income among us. The working poor weren't going to have health insurance for their children.

□ 2000

So this Congress passed SCHIP, the State Children's Health Insurance Plan, to subsidize, in most cases, to replace, to buy the health insurance premiums for working-poor kids, the children of the working poor, so they could transition out of welfare and onto work without losing the health coverage for their children. Pretty good idea. When it passed out of this Congress and went to the States, the States had this opportunity to take it up. We took it up in Iowa. We called it HAWK-I. We called it the Healthy and Well Kids in Iowa.

We set that at 200 percent of poverty. I supported that and adapted some of the language technically and voted for 200 percent of poverty level. That 200 percent of poverty level then grew. The State got an exception where one could exempt 20 percent of the income of a family. So you get into a situation where the 200 percent of poverty, that turns out to be about \$41,000 and change a year for a family of four; when you exempt 20 percent of the income, that goes to \$51,625.

That is where we are today. I don't call \$51,625 the working poor in my State. It might be in some States. It's not the working poor in my State. Most people don't make more than that in the State, but most people provide the health insurance for their families and their children. When it's provided through the employer, this bill that was pushed through this Congress provides a perverse incentive to crowd kids off of private health insurance and put them on the government-funded health insurance. That is the crowd-out factor.

The crowd-out factor was a lot bigger for the 400 percent of poverty. I don't recall that number, as I stand here, Mr. Speaker, but as that bill went over to the Senate and it was negotiated down to 300 percent of poverty, the crowd-out factor became 2 million kids in America that today have health insurance that is paid for by their parents or at the workplace of their parents, and those 2 million kids would be crowded off of their own private insurance rolls and put onto the government-funded insurance rolls.

Now they would match up with a number about 3.8 million kids that don't have insurance today. They have health care, but statistically they don't have insurance. That sometimes is a fluid number. There are people in transition between one policy and another. That is added into that 3.8 million. But the 2 million is a hard number. That is the number of kids that get crowded out, pushed off their own private health insurance.

That is unacceptable. If we are trying to insure children of the working poor, we don't take it up to \$103,250 income for a family of four and say we are going to subsidize it up to that point, now we have helped the poor kids, because \$103,000 is not poor. That is really wealthy where I come from. That is 400

percent of poverty. That is not the answer to subsidizing health insurance for the kids of the working poor. That is what SCHIP is supposed to be.

Three hundred percent of poverty is what this House passed the last time after it was negotiated in the Senate. That is \$77,437 in my State. In some States, it's \$83,000. That is not the working poor for a family of four. Probably not for a family of any normal size that we would see today. But that is the standard that this House has passed again. Still, it crowds out 2 million kids. One of my objections, one of my real objections to this is that they have changed the language in this bill. They have changed the language that under current Medicaid qualifier standards there has to be a demonstration of citizenship or a lawful presence in the United States that extends beyond the 5-year prohibition for receiving any welfare benefits here in this country.

That provision has been weakened by an addition to a section in this SCHIP bill, and it has been done so by the majority, and they have done it more than once. When we raised the objection and said that this language has changed and it will provide taxpayer dollar benefits to people who are in this country illegally to give them Medicaid and SCHIP, the majority said, no, that's not true because we have a paragraph in the bill that says none of these funds shall go to fund illegals.

I would submit, Mr. Speaker, that they wouldn't have had to add the language to the bill if they weren't going to do something with it. The language that they added to the bill is scored by the Congressional Budget Office, who analyzed the language and has a job in a nonpartisan way of calculating the impact on our budget, and they concluded it would cost an additional, the changes that open the door to allow people who are deportable to collect health insurance benefits and health benefits in the form of Medicaid, illegals in the United States, the cost to that is, according to the Congressional Budget Office, \$3.7 billion in Federal tax dollars, \$2.8 billion in State tax dollars. The easy math on that is \$6.5 billion all together it costs the taxpayers of the United States to fund Medicaid and SCHIP, most of it, a vast, vast majority of it, for illegals, that if we simply ask the immigration customs and enforcement why don't we deliver that benefit in the form of a voucher and you guys take it up there and hand it over, when they met with most of these people they would have to take them into custody and take them home to the country where they belong.

That is the reality of the law. That is the law, Mr. Speaker. \$6.5 billion, and yet I have people here in this Congress and around the country that say: STEVE KING is wrong on this. This bill really doesn't allow for funding to go to illegals. It really doesn't open the door. My answer to that, first of all, is

if you think I am wrong, what is your number? Submit to me your number. Would you like to submit zero? Say that to the Congressional Budget Office.

Right here, Mr. Speaker, is the CBO report that shows the \$3.7 billion, and the easy math that came from the Energy and Commerce Committee to put the States' share in that comes to \$6.5 billion. My question is: If you think I am wrong, what is your number? The second question is: If I am wrong, why is the majority so insistent upon keeping their language in the bill that opens the standards up for Medicaid qualification that just simply says all you have to do is write down a Social Security number and we are going to recommend that the Social Security Administration verify that number, maybe send a letter back to the provider or to the State if that number doesn't match up.

We know how well that works with employment in this country. We have at least 6.9 million working illegals in America. According to the Center for Immigration Studies, those 6.9 million, which may now be 7 or 7.1 million people, at least 55 percent of them have false documentation that they present in order to get the job. That is a Social Security number that has been submitted in the same fashion under the same standard as would be required for Medicaid qualifications. We know how well it is working with hiring illegals in America when you say, give me a Social Security number. It is not working. That is why we are in the middle of this immigration debate, Mr. Speaker.

So, I will submit that that same standard has no chance of working any better if you are going to use it to be able to qualify applicants for Medicaid and SCHIP. It defies logic to think that the Congressional Budget Office hands out a document that says \$3.7 billion Federal, and Energy and Commerce calculates the State share of that and it comes to \$2.8 billion, and you are at \$6.5 billion in cost. Why does it cost \$6.5 billion more money, if there is nothing in this bill that funds illegals? And why is the majority going to fall on their sword to protect the language that opens up the standards, if it doesn't change anything? One can't get past that. Facts are inconvenient truths to some people on the other side of the aisle and sometimes on this side of the aisle.

But what I recognize is I have been joined here by my colleague from New Jersey who occasionally will be watching C-SPAN at night and have a thought and a concept that he needs to get out here this evening. So with that in mind, with great gratitude, I would be happy to yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Well, I thank the gentleman from Iowa for giving me the opportunity to address the House.

First, before I begin, let me just say this. I commend the gentleman for

your being down here on the floor to, first and foremost, refute the arguments that had been made initially, in your opening statements, refuting the arguments made by the other side of the aisle, where I believe you were getting into the issues of the debt and what have you, and some of the other points you made with regard to our spending levels, and finally on SCHIP.

If I may, I want to address a couple of those. First of all, here we are at the end of October, 10 months into the rule under the new Democrat majority, and we have to ask, what has their leadership wrought? They have brought us the largest tax increase in U.S. history, the creation of slush funds, where a lot that money is going to go to, and the end to the transparency that they promised in the last election that they would bring to this House.

On the first point, as far as the largest tax increase in history, that began initially as soon as the Democrats took control with their budget, a \$387 billion tax increase, which basically is too large of a number for any of us to get our hands around. But what it really translates down to is, on average, around a \$2,500 to \$2,700 increase that every individual in this country will have to take out of their pockets, from the hard-earned money they make, and send down here to Washington so Congress can spend it instead on who knows what it may be. That is where they began.

We know just this past week the chairman of Ways and Means has come out with the "mother of all tax increases." That "mother of all tax increases," of course, basically begs the question of what happens to all the orphaned taxpayers then in this country, those who are now left having to foot the bill for that tax increase.

So I raise these points only because it is truly ironic that the other side of the aisle would come to the floor and raise the issue of the debt level and the spending of Congress, because, when you think about it, they ran on a platform that the Republicans were spending too much, but what was the first thing they did when they came here? They decided that they would spend even more. They ran on the platform that we were taxing too much. And what was the first thing they did once they got here? They raised our taxes. And they have done so repeatedly. They have about half a dozen times now had legislation, just about every single major piece of legislation that has come to the floor so far, that has included some form of tax increase in it.

Now, the gentleman from Iowa raises the point now near the end of his discussion with regard to SCHIP, and I always appreciate his explaining to the American public what the acronym SCHIP really does stand for. SCHIP stands for "Socialized Clinton-Style Hillarycare for Illegals and Their Parents." I will get to that point of illegals in a minute, but let's look at

the overall focus and what the intention is here.

I think it begs the question to ask, is anyone from either side of the aisle not intending working towards making sure all Americans can have the health care that they need? I think we all agree on that.

The next question is, do we not want to make sure then that all American citizens' indigent children get the health care that they need? I think, generally speaking, except for the partisanship and the politicking on the other side of the aisle, I would have to say that all of us agree on that as well.

Then we have to ask ourselves, what is the best mechanism to get there? Is SCHIP and the expansion that the Democrats want to foist on the American public the best way to get there? I would answer that question by saying, no, it is not.

Going in reverse order, the gentleman from Iowa raises the point with regard to illegals, an important point. The Democrats will tell you, don't worry about it. The bill already says in plain language that illegals are not allowed to get these benefits, as if all you need to do is put those words into a bill and that makes it so.

I see on the table over there, I think that looks like your demonstration for the wall. Is that what that is?

Mr. KING of Iowa. Yes.

Mr. GARRETT of New Jersey. You know, we would not need that wall under the Democrat philosophy, because we already have a law that says no illegals may come into this country illegally. If that is all it takes is just to say they can't do it and it won't happen, you don't need that wall. You don't need any surveillance. We don't need any border security guards, because we have a law that says they are not allowed to come into this country illegally. But we know that that is not the way it works. What works is you need enforcement. You suggest enforcement in the form of a wall, and I agree with you on that.

In the area of SCHIP, enforcement means that we need to have a way of verification for an individual when they come to claim American taxpayers' dollars for their own benefit for them to verify that they are legal American citizens entitled to it. And that is all that the Republicans were asking for, some sort of process to make sure that was done.

Now, the Democrats also argue, look, they put in a penalty provision for the States. The Democrats were not willing to actually put an enforcement mechanism in themselves to say how they want to verify the illegals. But the Democrats will say, well, we are going to leave that little question to the States instead and have the States cleverly come up with it. Of course, you and I are all supportive of States being the laboratory of experimentation.

□ 2015

The Democrats then say that is all we need to do. I would suggest that is

not all you need to do. The enforcement there is not to say to the States if you mess this up, if you don't enforce the law and allow illegals to get American taxpayer dollars under this program, and therefore potentially deprive other American children of their benefits, it does not say that those States will not receive any Medicaid benefits whatsoever. It does not say that they will not receive SCHIP benefits as well. It just holds the additional funding that goes to those States.

Under the original DRA law that was signed in 2005 and went into effect in July of 2006, for those States under Medicaid where it applied to, we saw a decrease because of the Republican enforcement mechanisms of illegals actually getting those benefits. What the Republicans have simply asked the Democrat majority to allow us to do is to allow those systems that are working to apply to the entire SCHIP process.

So on the point of trying to make sure that only U.S. American citizens get the benefits, Republicans have a plan and it has been working in other aspects of Medicaid, and we wish to expand it.

I yield back.

Mr. KING of Iowa. I thank the gentleman for coming to the floor and giving us a New Jersey perspective on this issue of SCHIP and also the overall budget that we have.

As the gentleman arrived, I was reaching for a quote in my memory and I came up a little bit empty. And so I looked it up while I was listening to the gentleman from New Jersey.

You have heard a number of facts that have been rolled out by the gentleman from New Jersey. You have heard a number of facts that I have rolled out here. I have said they are stubborn things. But it was John Adams who spoke to facts in memorable fashion when he said: "Facts are stubborn things. And whatever may be our wishes, our inclinations or the dictates of our passion, they cannot alter the state of facts and evidence." John Adams, and that was before the Declaration of Independence that he made that statement, as I recall.

And so as we laid these facts out here, this SCHIP initiative that we have today, current law, family of four qualifies in my State up to \$51,625. It may be higher than that in New Jersey.

But the bill vetoed by the President and the bill that was passed out of this House last week is a bill that funds up to 300 percent of poverty, family of four, \$77,437. That is off of Governor Culver's Web page. By doing the simple calculation that is provided there on whether you qualify or whether you don't, the \$51,625, and 300 percent of poverty is pretty simple, you just do the math on that.

This House passed it at 400 percent of poverty. That was the Pelosi plan. The argument is this is not the cornerstone to socialized medicine.

Mr. Speaker, I submit when you cover 95 percent of the kids in America

with SCHIP, which you would do once you get up over that 400 percent of poverty, only 5 percent are left on their own insurance. The rest are crowded out. The 2 million who would be crowded off their own insurance plan under this plan which has been vetoed by the President and then brought back in substantive identity to the first bill by the Pelosi-led Congress, that legislation still crowds out a huge percentage of the kids.

I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I will make this last point if the gentleman permits. The definition of a middle-class benefit or entitlement is one that goes to the middle class of America.

The definition, I guess, of a program for the indigent would be a program that is aimed for those who are making less than the average, less than middle-class America.

I wanted to give a couple of numbers. The median, middle, middle income in this country is around \$46,000 for a family of four essentially. That is the middle. That would be how we define middle class across the board. Some higher, some lower. That is the middle.

The bill, SCHIP, as it was created initially was for 200 percent of poverty. That would be around \$42,000 for a family of four, so less than the middle.

There are some discussions going on literally as we speak right now in what the Senate is looking at to bring this program up to around 275 percent of poverty. That would be \$58,000 for a family of four. So if middle, middle-class America is around \$46,000, and some are suggesting we should be bringing the coverage up to \$58,000, by definition it is a middle-class entitlement. Actually above middle class. Slightly above middle-class entitlement, as a matter of fact. It begs the question if you are trying to set up a program to address the problems of the indigent Americans in this country, why are you bringing the number up so high we are going over the median income in this country.

That is a rhetorical question. I don't think the other side can answer it unless they simply want to be honest with us and tell us they are trying to do what Bill Clinton said back when he was President that he wants universal coverage where the government has socialized medicine, and you will start with indigent children, you will go to all children and eventually you will go to all adults in the entire country. One-fifth of this economy will be encompassed by a government-run health care system, something you and I definitely oppose.

Mr. KING of Iowa. Again I thank the gentleman from New Jersey. I would ask him to point out to the body the acronym of SCHIP that he illustrated in his speech. I know that poster is available, and so I would direct the attention of body to the gentleman from New Jersey and the poster.

Mr. GARRETT of New Jersey. SCHIP. It has another meaning as Republicans initially created it, but we see what the Democrats have morphed it into. SCHIP now stands for Socialized Clinton-style Hillarycare for Illegals and their Parents. That wraps it all right up there. They are willing to go back to what Hillary and Bill Clinton wanted to do, and that was to have a universal, socialized plan that the government would control, literally one-fifth of the economy, health care economy, the same government that gave us FEMA and the way they handled Hurricane Katrina and the same aftermath of Katrina, the same government that gives so many other problems of waste, fraud and abuse, and the same government that gave us the proverbial bridge to nowhere. That Clinton-style type of government, Hillarycare for illegals. As the gentleman from Iowa just pointed out, it is not for American citizens. It is for anyone who simply wants to walk across the border and take the benefits of the hardworking American taxpayers.

Mr. KING of Iowa. I very much thank the gentleman from New Jersey.

I want to point out that this acronym has been out here now for over a week. When it says SCHIP stands for Socialized Clinton-Style Hillarycare for Illegals and their Parents, the criticism that has come for that is that no one has argued with the substance. They simply say, well, this is emotional. It is reactionary. Well, tell me what's wrong? Does this not lay the cornerstone to socialized medicine, to provide for taxpayer-funded insurance for kids and families up over \$100,000 for the 400 percent that was brought across this floor in the first place.

Mr. Speaker, does that not lay the cornerstone for socialized medicine? I submit, yes, it does.

And what happens in this county when, under current SCHIP, we have adults on up to age 25, 85 percent of those receiving SCHIP funding in Minnesota are adults. Some argue 92 percent. It is 66 percent in Wisconsin. I mean, these are huge numbers. This isn't for kids the way the system is today. But it is to lay the cornerstone to socialized medicine. I will support that statement.

As John Adams says, facts are stubborn things. Here is a fact about laying the cornerstone for socialized medicine. This is what President Bill Clinton said about achieving socialized health care on September 29, 2000: "You know, when Hillary and HHS Secretary Donna Shalala and I started working on this back in 1993, we proposed a solution that would have covered all Americans. And it was too much for the system to accommodate at once, so we've gone back, piece, by piece, trying to achieve that. We have now the Children's Health Insurance. Next, we need to deal with the 55 to 65-year-old age group."

Does anybody think that this isn't part of a plan to lay the cornerstone

for socialized medicine when the very words came out of the mouth of Bill Clinton on September 29, 2000? He was still President then.

And a speech he gave here on the floor of Congress on September 22, 1993, where he laid out component after component of the plan to get to Hillarycare. And by the way, it was Hillarycare. It was Hillary working behind the scenes in some secret meetings to put together an overall health care proposal which was socialized medicine.

Mr. Speaker, it was wrong then. It is wrong now. This is the cornerstone of socialized medicine. It is a component of Hillarycare.

Bill Clinton again, September 29, 2000: "You know, when Hillary and Health and Human Services Secretary Donna Shalala started working on this back in 1993, we proposed a solution that would have covered all Americans."

Well, a solution that covers all Americans, I would submit, isn't your private health care program, isn't the one that has been built by the free enterprise system, the one that has provided the incentive to do the research and development that has given us the best health care in the world. A system that would have covered all Americans is socialized medicine. That is a definitional fact. This is a direct quote from President Bill Clinton, September 29, 2000.

I say SCHIP stands for Socialized Clinton-style Hillarycare for Illegals and their Parents. It is a matter of historical fact. She met over and over again, and some would say the meetings could have been more lawful. That is not my issue so much as she was driving a health care policy as First Lady as if she were the lead health care policy wonk in America. It collapsed when the American people revolted against it because it was Hillarycare, because it was socialized medicine.

It came to us Clinton-style, but he delivered it here on the floor of the House of Representatives on September 22, 1993. In the year 2000, when he found out they couldn't drive it through, he said, well, we are going to give you a solution that will cover all Americans, but we are going to give it to you a piece at a time.

So when SCHIP passes at 200 percent of poverty, then we will raise it to 400 percent of poverty. This is what the Pelosi Congress wanted to do. These are all facts, these inconvenient, stubborn things. At 400 percent of poverty, you have only about 5 percent of the kids any longer on private health insurance. So the culture to provide for your children's health insurance premium is gone. It is wiped out. It is destroyed by a Congress bent on laying the cornerstone to socialized medicine, SCHIP. Socialized Clinton-style Hillarycare. Those issues are all addressed for what, Mr. Speaker, for illegals and their parents.

I have spoken to this. Here is the CBO score: \$6.5 billion increased costs

in fundings that are not currently going to illegal recipients of Medicaid, and those funding that currently are going to SCHIP to illegal recipients, that comes from the changes that are in this bill that passed this House last week and the bill the President vetoed, the bill that this Congress refused to override. That \$6.5 billion.

They can argue that they changed the language. They did. They were distinctions without a difference, and the proof that it lacks a difference is because the Congressional Budget Office scored, evaluated the cost to taxpayers, at precisely the same dollar amount. Regardless of whether it was the language they first brought or the language that they amended it to, the distinction is without a difference. It still provides for health care for illegals in America.

Mr. Speaker, fact after fact come out here. These inconvenient truths, to quote a famous author in America. I will go down through some that I have missed.

It does weaken citizenship requirements. The loss in taxpayer dollars, the net loss to my State is \$226 million. Everybody that has a State where people smoke will pay 61 cents more a pack. When they do that, they will pay more taxes.

It is also a fact that one of the most regressive taxes we have is the tax on tobacco because people less well-to-do tend to smoke more. It is an inverse relationship when they do a little better. We could look into the reasons for that, but we know this. Poor people pay a greater percentage of their income on the current tobacco tax, and will pay a far greater percentage of their income on the proposed tobacco tax. The idea on the part of the Speaker's side of the aisle is you would raise the tobacco tax and, therefore, there would be an incentive for people to smoke less.

□ 2030

I agree there would be, and I'd like to see what those numbers produce and maybe that's a good thing, and I'd like to evaluate that tax policy on that.

But we've got another little problem here, and that is, that in order to fund this increase, we have to have 22.4 million new smokers in America. So we've got to go out there and unleash Joe Camel again and get him out there recruiting the kids in America to start smoking, because if we don't do that, we can't fund their health insurance, and even if we do do that, we're still going to have, according to the first bill they passed at 400 percent of poverty, 70,000 families in America that qualify for SCHIP and still qualify to pay the alternative minimum tax, that tax on the rich.

So I'll submit, Mr. Speaker, that this is a bit of a bizarre proposal, and it's awfully hard to explain the rationale behind it when there are so many conflicting inconsistencies. But in the end, it's a net increase in cost to my State

of \$226 million. It will take an increase of 22.4 million new smokers to fund it. It will fund, at 300 percent of poverty, families of four in my State earning \$77,473. It will crowd 2 million kids off of the private family and business, job-funded insurance rolls, cost \$6.5 billion to fund the illegals that are participating in programs that today are barred from so and add taxes to cigarettes of 61 cents a pack.

Now, you add that all up, those are the facts. Those are the stubborn things. Those are the inconvenient truths that the other side of the aisle has to deal with. I simply called it SCHIP, "Socialized Clinton-style Hillarycare for Illegals and Their Parents."

So, Mr. Speaker, in the remaining time, I think that I should do a bit of a demonstration for the sake of popular demand. I wanted to point out for the body that we're spending \$8 billion on our southern border, and this is supposed to keep us from the \$6.5 billion in costs that are accumulated here under this SCHIP bill that came out of the Pelosi Congress.

But on that border that's 2,000 miles long, \$8 billion, that's \$4 million a mile. So I thought, you know, I've got a mile of gravel road that runs west of my house, and if Michael Chertoff came to me and he said I'm going to give you \$4 million but it's your job to make sure that only 75 percent of the people that want to cross that road get across and 25 percent of them stay where they are, that's our current efficiency rate that we're getting out of our \$8 billion and \$4 million a mile on our southern border today. We interdict about 25 percent of those trying, and about 75 percent get across. You might argue it's one out of three, but they'll testify one out of three, one out of four. We stopped 1,188,000 going across that border in the last year that was reported to me. That means about 4 million try. That's about 11,000 a night, 11,000 a night. Twice the size of Santa Anna's army pouring across our southern border, not in the day, at night. Every single night, Mr. Speaker.

What would I do if Michael Chertoff said, I'm going to offer you a contract. I'd bid it. It wouldn't be a no-bid contract. I'd want to compete for this, \$4 million for my mile of road. What would I do?

Well, I'd get out there and build something because I know the Humvees cost a lot of money, and uniforms and retirement programs and health plans for our Federal employees cost a lot of money. Now, I love our border patrol. They're doing a great job, and I've been down there to work with them, but I would submit they could use some help. I would give them a little structure. I'd go in there and say, Your job would be a lot easier if we build you a physical barrier. I'd want it double. I'd put the fence in, and I'd build the wall. The wall would be something that would last a long, long time.

This would be the trenched footing that I would put in. It would be slip form, Mr. Speaker, and I would set this trench footing into the ground. I'd drag her along, and I'd pour slip form right behind it. It would look like this from the end. Then I'm going to set it up in this stand, and I'll show you how easy it is to build a wall. It will take about, let me say, \$1.2 million, about \$1.2 million a mile, and you just simply put this in about like that. That would be a piece of concrete that would be about 13 feet high, 13-and-a-half feet high, about half that for width, and then you pick up your little crane and drop this thing in here. That's about 12,000 pounds per formation.

Mr. Speaker, I thought I heard your gavel as I dropped that in the hole. I apologize for that. I was making a little too much noise.

I would wrap this up simply by then submitting that I believe I have demonstrated how we can protect America at about \$1.2 million a mile as opposed to \$4 million a mile. I'd encourage this Congress take a good look.

SAFETY RECALLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I thank the Speaker for the recognition.

Mr. Speaker, I come to the floor tonight to talk about a growing, a disturbing trend of food and consumer product recalls in this country, safety recalls. Mr. Speaker, the danger is real. That danger has been widely documented. It's been widely discussed in the media, in committee hearings, the Lou Dobbs show and around the watercooler at work.

Mr. Speaker, parents are afraid. They're afraid that their children are playing with lead-tainted toy sets. Parents are afraid that the magnets in toys or charms may cause internal damage if a child accidentally swallows them. Families are afraid that the food they eat or the food they feed their pets may actually be contaminated with plastic that can cause harm or death to their beloved pet. People are afraid their toothpaste may contain antifreeze. People are afraid that the fish they serve to their families may contain dangerous antibiotics.

Now, I could elaborate about additional concerns, but generally, people are afraid about the source of these products and the dangers attendant to them and rightfully so. Mr. Speaker, people are afraid about defective products being imported into our country, and honestly, it seems like most of these concerns focus around a single country, the People's Republic of China.

Consumers' health and well-being are being endangered on two fronts: the food we eat, the goods we use. Let's use some time tonight, let's spend some

time tonight discussing both fronts and what we in Congress can do and should be doing to protect American families from harmful products.

In the arena of food safety, you might ask the question, has anyone in Congress been paying attention to the safety of the food we eat? Well, I feel the answer to that question is yes. We've spent some time in the committee on which I sit, the Committee on Energy and Commerce, and we are pursuing an aggressive investigation and an aggressive legislative agenda to confront the problem.

Now, as a member of the Subcommittee on Oversight and Investigations, we have taken an active role in investigating the safety of our Nation's own food supply. In August, a bipartisan team of investigators was sent to China to see firsthand if they could elucidate the cause of the problem. Now, the committee staff report, the investigators came to the following conclusions from their trip and from their investigation thus far.

Quoting directly from the staff report now, Mr. Speaker, it would appear that the Chinese food supply chain does not meet international safety standards. It is, in fact, responsible for very serious domestic Chinese food poisoning outbreaks.

Number 2, the Chinese Government appears to be determined to avoid embarrassing food safety outbreaks in export markets due to the damaging and potentially lasting effect that this would have on their "Made in China" brand.

And thirdly, the lack of meaningful internal regulation of farming and food processing in China, the advanced development of the document counterfeiting industry, and the willingness of some people to simply break the law, the willingness of some entrepreneurs in both China and the United States to smuggle foodstuffs that do not meet quality standards, necessitates a much more vigorous program of inspection and laboratory testing in China and at U.S. points of entry than the Food and Drug Administration has been able or willing to pursue.

Let me say that again, Mr. Speaker, because it's so important. This necessitates a much more vigorous program of inspection and laboratory testing in China and at U.S. ports of entry than the Food and Drug Administration has been able or willing to pursue to date.

Well, Mr. Speaker, these are important conclusions, and we must not simply watch the problem worsen. We must be willing to confront the problem head-on and transform the Food and Drug Administration into an agency that can fully cope with the importation problems of a 21st century world.

The Energy and Commerce Committee is doing their part to do just that. In addition to the staff trip to China, they're in the middle of a series of five hearings to discuss the topic: Can the Food and Drug Administration

assure the safety and security of our Nation's food supply. And what have we learned so far?

Well, let me recapitulate. At the hearing on July 17, 2007, on this very topic a former FDA associate commissioner, William Hubbard, testified that in 1999 the Food and Drug Administration drafted a legislative proposal which would have given the Food and Drug Administration authority to require foreign countries to take more responsibility for the foods that they send into the United States. The agency's proposal would have allowed the Food and Drug Administration to embargo a given food from a given country if there were repeated instances of that food being found contaminated when it arrived in the United States. Countries that send safe food would have no reason to be concerned, as they would be unaffected, but countries that demonstrated a pattern of disregard for U.S. safety standards would have to increase their oversight of food exported from their country.

Unfortunately, Congress did not accept this recommendation in 1999, and neither did the Clinton administration, and the situation with some imported foods from some countries has obviously gotten much worse.

Congress has a chance to examine the problem and consider recommendations on how to solve the problem, but you know, Mr. Speaker, the world was a different place then, and it was difficult to anticipate the acceleration of foreign products coming into our country. Was the safety of food products from foreign countries not a priority for Congress back in 1999? Well, the answer likely is not as much as it should have been, but then, the amount of globalization, the amount of imports was nowhere near what we see imported today.

The question is why we have allowed the problem to persist when we know how much harm these unsafe products have the potential to cause. We may not know the answer to that question right now, but as I stand here tonight to tell you about it, it is absolutely a priority of mine that I intend to do something about it.

October 11, the Energy and Commerce Subcommittee on Oversight and Investigations held the third part of a five-part series on hearings of the Food and Drug Administration's ability to assure the safety and security of our Nation's food supply.

According to testimony given by Mr. David Nelson, the senior investigator for the Energy and Commerce Committee, currently the Food and Drug Administration does not go over and see if the products that are produced in China are done so under the same standards as we depend on here in the United States of America. These are the products that are produced in China that are sent over to the United States for consumption, the products that Americans will be consuming, and they are not produced under American standards.

Now, Ranking Member WHITFIELD asked Mr. NELSON that, well, if you're speaking to a group and a member of the audience asks the question about how safe it is to consume the products produced and imported from China, he answered, and I quote, You are taking your chances on any imported food, end quote.

This is a chance we simply cannot afford to take. America has to have the authority to prohibit these foods from coming into our country if they are not safe. We have to be able to stop the food that we would, quote, be taking our chances on, close quote.

Chairman DINGELL asked Mr. NELSON whether or not the Food and Drug Administration can protect the United States' citizens from unsafe imports with the resources that they currently are applying towards this problem, and the answer was that would be an emphatic no. Not just no, not yes, no, but an emphatic no.

Well, Mr. Speaker, I also asked Mr. NELSON, You were over there for some time. What did you all eat when you were over there? And he replied that they ate the food that was served to them, and this was the food that was also eaten by members of their host country. And I asked him if he had any problem, and he alluded that, yes, some members of the committee did have problems while they were over there.

Now, I also asked him, when I got my chance to question, what protocol they will follow after discovering a contaminated food supply of foods, specifically poultry. And we had a witness during that day, and during my questioning of Mr. James Rice, the vice president and country manager for Tyson Food in China, I asked him, So when you find a problem, do you communicate that to, say, the United States authorities so that they know to be on the lookout for similar products in other facilities? Well, do you know what he said? He simply said, No, we don't.

He explained to me that, because Tyson was using local Chinese suppliers and the products were mostly for the Chinese markets, he simply felt it would not be necessary.

□ 2045

In essence, there would be no dialogue whatsoever. Mr. Rice told me that if persistent problems from one supplier were identified, no one would alert others as to this problematic supplier. There is no system in place to let others know about a bad apple. Well, this is a serious, serious problem.

It was important, so important, that I introduced legislation that relates to the 1999 proposal that was not acted upon by Congress. This is H.R. 3967, the Imported Food Safety Improvement Act of 2007, eight years late. I firmly believe that the Food and Drug Administration needs the ability and the explicit authority to immediately stop dangerous foods and products from coming into this country.

Let me give you an illustration. I could think of it like this: goods are

coming into this country on a giant conveyor belt. When you find a bad apple coming down that conveyor belt, the Food and Drug Administration needs to be able to push a big red button with "stop" written on it and immediately stop the apple from continuing into the line of commerce.

This legislation would give the Food and Drug Administration this great big red button to push. The idea is simple. If enacted, the Food and Drug Administration would have the authority to embargo a specific food from a specific country if there were repeated instances that the type of food produced had been contaminated.

We frankly need to be able to stop countries from sending harmful food, harmful food products into the United States. So H.R. 3967 will allow us to finally take control of the food that is being sent to America. It would also send a strong message to countries that have, in the past, sent harmful products our way. Solve the problem on your end, or we will take steps to solve the problem on ours.

After a summer of recall upon recall, it's time to take matters into our own hands. I don't know about you, but I am sick and tired of hearing a different news story every week about the new and dangerous products coming in from the People's Republic of China that are being sent to America and then subsequently have to be recalled.

The Health Subcommittee, of which I am also a member, had a legislative hearing on September 26 regarding a bill from Chairman DINGELL, H.R. 3610, the Food and Drug Import Safety Act of 2007.

Having reviewed this legislation, I think the intentions are certainly good. We will look forward to working with the chairman on this issue. I don't support every single provision, but I do support the spirit of the proposed law.

I believe we need to look toward how other Federal agencies have dealt with this issue and whether it would be appropriate to give the Food and Drug Administration similar authorities. According to the Government Accountability Office, 15 Federal agencies, 15 Federal agencies collectively administer at least 30 different food laws related to food safety.

The Food and Drug Administration, which is part of the U.S. Department of Health and Human Services and the Food Safety and Inspection Service, which is part of the United States Department of Agriculture, together comprise a majority of both the total funding and the total staffing of the government's food regulatory system.

However, the food safety laws vary greatly from agency to agency, and not all foods are treated equally. For example, the United States Department of Agriculture, which has jurisdiction over meat, poultry, eggs, has established an equivalency determination, a determination standard for those specific foods.

On October 11, at the third oversight investigation hearing on the Food and

Drug Administration's ability to assure food safety and the security of our Nation's food supply, Under Secretary for Food Safety at the United States Department of Agriculture, Dr. Richard Raymond, gave the following testimony about equivalency. Again, I am quoting: "Equivalency is the foundation of our system of imports. It recognizes that an exporting country can provide an appropriate level of food safety even if those measures are different from those applied here at home. Food safety and inspection service has always required an assessment of foreign inspection systems before those nations can export to the United States of America. This prior review is mandated by our laws, which originally required that a foreign system be equal to our system before any foreign product can be admitted."

It has to be equal to our system before they have the able to import under rules put forth by the United States Department of Agriculture. So that's one set.

He further went on to state: "An exporting country has the burden of proving that its system is equivalent to our own if that country wishes to export to the United States."

Now, I understand that applying a system of equivalency, the system of equivalency that has been developed by the United States Department of Agriculture, taking that same system and applying it to the Food and Drug Administration, is tough. Because, in fairness, the Food and Drug Administration has about 80 percent of the jurisdiction of imported food to roughly 20 percent that is imported under the jurisdiction of the United States Department of Agriculture. So, clearly, this will be an extremely difficult and onerous task for the Food and Drug Administration to undertake.

Currently, only 33 countries are eligible to import meat or poultry products into the United States. If the exact standard that the United States Department of Agriculture employs was used by the FDA, it would drastically change, and some people might say it would hinder or even cripple the food system if there were not enough resources available to support it.

As former Speaker of the House Newt Gingrich says: "Real change requires real change." Maybe the system should be drastically changed. Consider this: in 2005, 15 percent of the overall food was imported. Between 1996 and 2006, a decade, the amount of U.S. imports of agriculture and seafood products from all countries increased by 42 percent. Furthermore, in the last decade, the volume of Food and Drug Administration-regulated imports has tripled.

Chinese imports to the United States have increased more rapidly than the global average. Between the years 1996 to 2006, the volume of Chinese imports, of the imports of Chinese agriculture and seafood products, increased by 346 percent. China is now the third largest exporter of agriculture and seafood

products in the United States only behind our neighbor to the north and our neighbor to the south.

So perhaps our food import system should change drastically. The Food and Drug Administration was created in a time when we were still domestically growing the majority of our own foods. While we do have real issues here at home to deal with regarding our food regulatory system, at least we have a regulatory system to deal with that problem.

This is not the case for all of the countries involved from which we receive food. It seems that it would be common sense that we would only import food from a country if they can prove that their system is as safe as ours. Yet only the U.S. Department of Agriculture can require this, which, once again, controls 20 percent of our food supply, 20 percent equivalency, 80 percent, no match. It seems to me that it may be time to rebalance that portfolio or at least make the 80 percent of the food that's imported as safe as the 20 percent that's under the jurisdiction of the United States Department of Agriculture with their equivalency standards.

Now, it seems to be very arbitrary that the system the United States Department of Agriculture can employ is so much tougher than the system the Food and Drug Administration can employ. Yet at the end of the day, all that food, all that food winds up on the same kitchen table. No one makes a distinction that, well, this is the 20 percent that we got under the jurisdiction of the FDA or the United States Department of Agriculture, and this is the 80 percent we got from the Food and Drug Administration, so we will be much more circumspect about this 80 percent of the food that's on our table than the 20 percent that's under the jurisdiction of the U.S. Department of Agriculture.

That's nonsense. We know that doesn't happen in American homes. Americans don't discriminate food upon the agency that regulates them, nor should they, nor should they be asked to. But it's curious that Congress does. Congress sets forth these dual standards, you might say dueling standards, and Congress must have a candid discussion on whether or not we need to make the systems more comparable. Again, former Speaker Newt Gingrich: "Real change requires real change."

Now, Chairman DINGELL's food safety bill is tentatively scheduled to be marked up at both the subcommittee level and the full committee level the week of November 5, that's next week. It's my goal to encourage this frank conversation at the committee level and hopefully Members of both sides of the aisle will continue to have input on this important issue.

Now, we all know, although it hasn't been the experience of late, we all know that the system works best, and we have the most effective legislation

for the American people, if the bills are allowed to go through the regular prescribed order.

For the sake of the safety and the sanity of the American consumer, I implore our leadership of the House, our Democratic leadership of the House to allow this important piece of legislation to go through the regular process, let it go through the normal process.

We saw what happened with the reauthorization of the Food and Drug Administration early this year. It was a good product. Although the bill was vastly different coming out than it was going in, I think we have got a better bill at the end of the process. It was worked on by staff, worked on at the subcommittee level, worked on by staff, worked on at the full committee level, went to conference and ultimately we got an FDA reauthorization bill that I thought was quite serviceable.

We saw the system at its worst in the past eight weeks with the State Children's Health Insurance Program where regular order was subverted: here is the bill, up or down, take it or leave it, got to ram it through the committee in 8 hours, got to ram it through the House floor the next day. But, guess what, it's so bad even the Senate won't touch it.

So we come back with a Senate bill, but it's not really a conference product. That SCHIP product that came from the Senate in September was, in fact, a new bill. It could have gone to the subcommittee level, it could have gone to the full committee, it could have been modified, it could have been amended, it could have been reworked, there could have been input from both sides.

If your goal is only the next election, then you are going to do things like we have seen the last 8 weeks with the State Children's Health Insurance Program. If your goal is focused on near-term, mid-term and far-term priorities, if you are worried about what your legislation is going to do to Americans 10 years, 20 years, 30 years from now, you will take the time to do it correctly.

Well, I hope we take the time to do it correctly with the food safety import bill that we will be taking up next week.

Well, let's not allow the issue of protecting our families from harmful and dangerous goods coming over from other countries to become a debate of R versus D, one side versus the other, a political bludgeon, a political wedge, make all the political hay you can because 2008, after all, is going to be a year where it's all politics all the time.

No, we cannot do that. This is something that I am certain holds some resonance in the minds of us all working together, find the most efficient and effective method of solving this crisis and solving it now. It ought to be the priority for every one of us in this House.

Well, let's move from food safety and consider the issue of consumer product

safety recalls. It seems like the Nation is very focused on this issue as well. These days it seems like every time you turn on the TV or open the newspaper, you learn about yet another consumer product safety recall.

While people are generally concerned about the issue of recalls, many people, myself included, are concerned about the source of all of those recalls since it appears to be, and maybe it's just me, but it appears to be that the majority of those recalls all emanate from a single source, a single country. Of course, those are goods that are manufactured in the People's Republic of China.

Christmas, if we can say Christmas on the House floor, Christmas is rapidly approaching. I cannot help but think there would be a huge market, a huge market for any manufacturer who wanted to put the "Made in America" label on their toys and products, maybe a little bitty American flag on that toy or product as well.

I encourage retailers, I encourage retailers to think about this. Stock as many "Made in America" products as you can. I will bet they are big sellers this year. Since the majority of all of the products that are being recalled this year were made in China, quite honestly, this year, myself and my family have made the personal decision to try to not buy anything with a "Made in China" label. We regard it as a warning label, just the same as you would see on a package of cigarettes. Warning: purchasing this product may be hazardous to your health, your child's health or your loved one's health or your pet's health.

Given all the circumstances, it seems like the right thing for me to do and my family. I feel certain that other American families have made similar decisions. I know because I heard about it over and over again during the August recess at town hall meetings. I got the feeling that the Lou Dobbs family is probably among them.

Well, this concern about imported products is real, and it has been substantiated with real data. The United States Consumer Product Safety Commission, which is tasked with the job of trying to safeguard our society from unreasonable risk of injury and death associated with consumer products, informs me that as of this week, 2007, the year 2007, not even completed yet, but so far in year 2007, year-to-date, a record-breaking 472 consumer product safety recalls. Of the 472 consumer product safety recalls, more than 60 percent were manufactured in the People's Republic of China.

Are you beginning to pick up on the repetitive nature of this theme? More than 60 percent of all recall products this past year were made in China.

□ 2100

Furthermore, of the 472 total consumer product recalls, 61 of those recalls affected whom, our most vulnerable members of society, our children.

Sixty-one consumer recall products were toys. And how many of those products were manufactured in the People's Republic of China you might ask? Well, I'll tell you. And the figure is illuminating. The figure is astounding. The figure is staggering. The United States Consumer Products Safety Commission estimated that over 90 percent of the toy recalls were made in China.

We'll take our stop button down for a minute because it doesn't seem to be doing any good anyway. Let's look at this. It's not doing any good because we don't have one and we need one.

Now, Mr. Speaker, I'm just a simple country doctor who ran and won the race for Congress several years ago, but I find myself asking myself over and over, what in the world can we do to protect ourselves and our families?

Here's a poster from the Consumer Product Safety Commission that shows just a few of the consumer product recalls for the month of October: trick-or-treat bucket, some type of sword, a sprinkler that looks like a turtle, a child's gardening equipment, a bendable dinosaur, a crash helmet. I don't know what that is. I don't know what that is. A skull and cross bones and a boot. All of these things, and this is not the total amount of recalls, but all of these things were recalled, issued recalls in the month of October alone. For the safety of our families we need to get to the bottom of the cause behind all of the recalls.

Well, Mr. Speaker, I also sit on the Commerce, Trade and Consumer Protection Subcommittee which has jurisdiction over this issue, and our committee is investigating the problem, and in the weeks to come, legislation will be introduced on this issue. We've passed bills individually recently that have dealt with specific issues, the specific safety concerns of consumer products, including a bill that I amended to make ornamental pools safer, and the committee is currently formulating comprehensive bipartisan legislation to strengthen the consumer product safety system in this country. A lot of topics are on the table, including enhancing the commission's recall authority. I firmly believe that we must improve the United States Consumer Product Safety Commission's ability to notify consumers about dangerous products more quickly and on a broader scope.

I am very concerned that there may be a large gap of people and associations that are not receiving the information about the product recalls in a timely manner. As we all know, products are recalled because they have been found to have some element of danger to the consumer and they need to be immediately gathered in and usage stopped and somehow safely discarded.

We always wonder: What are you going to do with all of those lead based toys that come into this country? You can't burn them because we don't want

to breathe the lead fumes. You can't bury them in a landfill because we don't want to drink the water that has now had the lead leached out into it. So what are we going to do with all of those lead-contaminated products that are finding their way into our country?

And another aspect, what do you do about nonprofits, Salvation Army, Goodwill? In my hometown of Lewisville, Christian Community Action, that's located in Denton County, they can provide some invaluable resource to their communities because of what they do with recycling used products. But they also have an obligation to make certain that they comply with all of the issues resulting from a recall.

Now, I've been informed by some of the nonprofits back in my home districts in Texas that, through no faults of their own, they are unaware of many of the product recalls and, therefore, the fear is that they could inadvertently sell or resell a recalled product to a family or to an individual. So I'm currently working with the United States Consumer Product Safety Commission to try to close this gap.

Now, this is, Mr. Speaker, this is just a blowup of the Web site listing the Web site up here at the top, www.cpsc.gov, Consumer Product Safety Commission. And on the opening page there is a place where, I've got the arrow pointing to it, but there's a place on the page where you can sign up for e-mail announcements of product safety recalls and certainly encourage nonprofits to take part in that. But realistically, any American consumer, any consuming American family may well want to do the same thing so they get immediate notification through an e-mail-based system if there is a product recall.

Unfortunately, based on the testimony and the work we've seen that has occurred in our committee, I've got to believe that we're nowhere near the end of this. And unfortunately, as we drive further into the Christmas season, we may see other product recalls and they may yet dwarf the size of the recalls. As big as they've been, they may dwarf the size of the recalls that have already occurred this year.

Well, while we continue to try to close the gap through legislation, I encourage Members of Congress and, Mr. Speaker, I know we can't directly address the audience on C-SPAN, but if I could do that, I would ask them to perhaps consider signing up for the product recall safety alerts. It's easy, it's free, and it just might save a life. If you have access to an e-mail account and the Internet, all you've got to do is go to the United States Consumer Product Safety Commission's home page, again, www.cpsc.gov and sign up for free recall and safety news. So, again, www.cpsc.gov. And yes, for people who English is not the primary language, you can sign up in English and in Spanish.

The Consumer Product Safety Commission also has a neighborhood safety

network which is for organizations or even civic-minded individuals to help disseminate information about recalls and posters to members of society who may not be aware of the recalls.

We all know, Mr. Speaker, education can save lives. Unfortunately, though, certain groups of Americans, such as the elderly, urban and rural low-income families, and some minority groups often don't hear about the safety messages from the government. Certainly, additional outreach is needed.

One of the reasons to sign up for the product e-mail alerts is, you know, Mr. Speaker, there may be some unscrupulous vendors out there who, after a recall, after a recall has been issued, may take up and resell these products in a bargain house somewhere. So we want people to have easy and free access to the information so, obviously, they can make the best decisions.

So please help make your community safer by getting the word out about how to get notification on these product safety recalls.

I'm a member of the Neighborhood Safety Network and will disseminate information through my Web site, www.house.gov/burgess. Information available in linking you to the CPSC Web site is available through that Web site as well. Again, www.house.gov/burgess.

Well, with all the talking I've done on this, I'm sure some people, Mr. Speaker, would ask, is there a downside? Is there a dark side of this that we should consider? And the answer is, of course, yes. You must always be cautious of jumping over the line. We all worry about the encroaching reach and grasp of an ever-expanding Federal Government. We worry about things like federalizing our child's toy sets. But at the same time, the Federal Government does have an important duty to the safety and welfare of all Americans. And the last thing you want is for the Federal Government to have control over every item that you buy. But there's got to be a balancing test. And right now, I'm afraid the balance has tipped too far the other way, and the actual protection for the consumer doesn't exist.

I started out the beginning of my talk talking about recalls, and certainly the summer that we've just gone through has been the summer of recalls. We've had several of the individuals come in and testify in our committee about where the process broke down, where it went wrong. Again, there's a way to avoid the recall after recall after recall that we've witnessed the past several months in products coming in from overseas and from one country in particular; and one way to do that would be for manufacturers to increase the manufacturing that takes place in the United States of America. I can think of no better way to market your products than to say with a little American flag and a little "Made in America" label on that toy.

I mean, we talked about food safety, Mr. Speaker, at the beginning of this.

You know, if I walk into a place that sells chicken, for example, and I can buy 1 bucket of chicken where the product might harm me and it costs \$8, and I can buy a different bucket of chicken where the product won't harm me and it costs \$9, I'm going to take the \$9 bucket of chicken, thank you very much. And we hear over and over again, well, consumers don't want to pay higher prices. They want lower price. No, the consumer wants safe products, and if the consumer has to pay a little bit more to ensure that those products are safe, they're willing to do that, because everyone is sick of recall upon recall upon recall. Don't let the summer of recalls become the fall of recalls, become the winter of recalls, become the election year of recalls in 2008. We have it in our power to stop this process. Begin more manufacturing in this country. Manufacturers who step up and do that, I think, will be handsomely rewarded. Food importers who actually stop all of the importation and work with American farmers to buy American products, I think, will be rewarded. I would pay the extra buck for a bucket of chicken that wasn't going to poison me or my family. And most Americans would feel the same way. I would pay the extra buck for a 50-pound bag of dog food that's not going to give my beloved pet kidney failure and take them from me early.

This is a pretty simple concept. If we can assure the safety in this country, let's move the manufacturing, let's move the production, let's move the farming production to where we know we can have the safety and the oversight that's required.

Mr. Speaker, we have to be vigilant in our plight in restoring safety and trust back to the foods we eat and the products that we use. I believe that the legislation introduced, H.R. 3967, the Food Import and Safety Act of 2007, will further this goal, as will the enhanced recall authority by the United States Consumer Product Safety Commission that we've also talked about tonight.

Compromising the safety of foods we put on our tables is, frankly, not an option. Compromising consumer products we buy for our families is, frankly, not an option. Compromising the security of Americans can never be an option. Compromising cannot be an option that we take because we lack power. H.R. 3967 gives us back that power, gives us that big red stop button. If something's coming in from overseas and, hey, we see it's wrong, we see it's tainted, stop. Stop. Don't let it even come on our shores. Don't let us be the ones that have to dispose of the stuff. Stop it. Send it back where it came from.

We can no longer sit back and allow harmful products to reach our homes. All Americans, my family included, have the choice to take a stance individually and not buy products with those warning labels on them. The

warning label, remember, says, "Made in China," because those products have proven to be unsafe.

But we could go a little farther than that. Stricter rules are necessary. And at this juncture I would say it's up to Congress to create and enact those rules and earn back the trust of the American people in the process.

Thank you, Mr. Speaker. You've been very indulgent.

I will yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEVIN (at the request of Mr. HOYER) for today after 3 p.m.

Mr. WILSON of Ohio (at the request of Mr. HOYER) for today and the balance of the week on account of medical reasons.

Mr. WELLER of Illinois (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CUMMINGS) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. MEEKS of New York, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

(The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, November 6.

Mr. JONES of North Carolina, for 5 minutes, November 6.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

Mr. HASTINGS of Washington, for 5 minutes, October 31.

Mr. PENCE, for 5 minutes, today.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3678. An act to amend the Internet Tax Freedom Act to extend the moratorium on certain taxes relating to the Internet and to electronic commerce.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 2106. An act to provide nationwide subpoena authority for actions brought under the September 11 Victim Compensation Fund of 2001.

S. 2258. An act to temporarily extend the programs under the Higher Education Act of 1965, to amend the definition of an eligible not-for-profit holder, and for other purposes.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 31, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3925. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Standards for Mortgage Investment in Mortgaged Property [Docket No. FR-5087-F-02] (RIN: 2502-AI52) received October 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3926. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Housing Counseling Program [Docket No. FR-4798-F-02] (RIN: 2502-AH99) received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3927. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Default Investment Alternatives Under Participant Directed Individual Account Plans (RIN: 1210-AB10) received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3928. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of a Presidential Determination, pursuant to Section 102 (a) (2) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3929. A letter from the OGE Director, Office of Government Ethics, transmitting the Office's final rule — Amendments to Incorporate a Statement Regarding the "Sole and Exclusive" Nature of the Authority that the Regulations of the Office of Government Ethics Confer on Executive Branch Departments and Agencies (RINs: 3209-AA00 and 3209-AA07) received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3930. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Virginia Regulatory Program [VA-125-FOR] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3931. A letter from the Acting General Counsel, Department of Justice, transmitting the Department's final rule — Authorities Delegated to the Director of the Executive Office for Immigration Review, and the Chief Immigration Judge [Docket No. EOIR 125F; AG Order No. 2907-2007] (RIN: 1125-AA27) received October 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3932. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Biscayne Bay Yacht Racing Association Full Moon Races, Biscayne Bay, Miami, FL [COTP MIAMI 07-065] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3933. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Marine Events; New River, Jacksonville, North Carolina [Docket No. COTP North Carolina CGD05-07-071] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3934. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 07-031] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3935. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Labor Day Celebration Fireworks, Village Beach Fishing Pier, Hog Island Channel, Island Park, NY [CGD01-07-116] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3936. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Charlevoix Venetian Night Fireworks, Lake Michigan, Charlevoix, MI [CGD09-07-050] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3937. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Oswego Harborfest 2007, Oswego, NY [CGD09-07-055] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3938. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mackinac Bridge 50th Anniversary Celebration, Lake Huron, Mackinaw City, MI [CGD09-07-060] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3939. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mackinaw Bridge 50th Anniversary Celebration, Lake Huron, St. Ignace, MI [CGD09-07-061] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3940. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; USA Wakeboard Nationals, Onondaga Lake, Liverpool, NY [CGD09-07-062] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3941. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Petoskey Fireworks Display, Lake Michigan, Petoskey, MI [CGD09-07-108] (RIN: 1625-AA00) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. H.R. 2830. A bill to authorize appropriations for the Coast Guard for fiscal year 2008, and for other purposes; with an amendment (Rept. 110-338 Pt. 3). Ordered to be printed.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 2787. A bill to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States; with an amendment (Rept. 110-415). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 780. Resolution providing for the consideration of the bill (H.R. 2262) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes (Rept. 110-416). Referred to the House Calendar.

Mr. WELCH of Vermont: Committee on Rules. House Resolution 781. Resolution providing for consideration of the bill (H.R. 3920) to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes (Rept. 110-417). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SCOTT of Virginia (for himself, Mr. FORBES, Mr. KENNEDY, Mr. DELAHUNT, Mr. DANIEL E. LUNGREN of California, Mr. NADLER, Mr. COBLE, Mr. RAMSTAD, Ms. JACKSON-LEE of Texas, Mr. PLATTS, Mrs. NAPOLITANO, and Mr. ELLISON):

H.R. 3992. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes; to the Committee on the Judiciary.

By Mr. ALTMIRE:

H.R. 3993. A bill to provide for a prohibition on discrimination in employment against certain family members caring for recovering members of the Armed Forces; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOREN (for himself, Mr. RAHALL, and Mr. PALLONE):

H.R. 3994. A bill to amend the Indian Self-Determination and Education Assistance Act

to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANK of Massachusetts:

H.R. 3995. A bill to protect the interests of each resident of intermediate care facilities for the mentally retarded in class action lawsuits on behalf of such resident; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 3996. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 3997. A bill to amend the Internal Revenue Code of 1986 to provide earnings assistance and tax relief to members of the uniformed services, volunteer firefighters, and Peace Corps volunteers, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 3998. A bill to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures; to the Committee on Natural Resources.

By Mr. OBERSTAR (for himself and Mr. DEFazio):

H.R. 3999. A bill to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ABERCROMBIE (for himself, Ms. HIRONO, and Ms. BORDALLO):

H.R. 4000. A bill to extend eligibility for certain Federal benefits to citizens of the Freely Associated States; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY:

H.R. 4001. A bill to amend title VIII of the Public Health Service Act to expand the nurse student loan program, to establish grant programs to address the nursing shortage, to amend title VII of the Higher Education Act of 1965 to provide for a nurse faculty pilot project, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LINCOLN DAVIS of Tennessee (for himself and Mr. DAVIS of Kentucky):

H.R. 4002. A bill to establish a program to preserve rural multifamily housing assisted under the Housing Act of 1949; to the Committee on Financial Services.

By Mr. HARE (for himself and Mr. MANZULLO):

H.R. 4003. A bill to amend title 28, United States Code, to change the composition of the northern and central districts of Illinois; to the Committee on the Judiciary.

By Mr. JOHNSON of Illinois:

H.R. 4004. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the stipends received for working as an election judge; to the Committee on Ways and Means.

By Mr. KELLER (for himself, Mr. SMITH of Texas, and Mr. FORBES):

H.R. 4005. A bill to amend title 18, United States Code, to prevent misrepresentation of their ages by on-line predators as a means for the enticement of children; to the Committee on the Judiciary.

By Mr. LEWIS of Kentucky:

H.R. 4006. A bill to suspend temporarily the duty on 3,3'-Dichlorobenzidine Dihydrochloride; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. SMITH of New Jersey, Ms. LORETTA SANCHEZ of California, and Mr. TOM DAVIS of Virginia):

H.R. 4007. A bill to amend the Immigration and Nationality Act to provide citizenship for certain children of United States servicemen born overseas during the Vietnam and Korean Wars; to the Committee on the Judiciary.

By Mr. MAHONEY of Florida (for himself, Mr. LAMPSON, Mr. HODES, Mr. HILL, Ms. BEAN, Mr. MATHESON, Mr. BARROW, Mr. BACHUS, Mr. KLEIN of Florida, and Mrs. BACHMANN):

H.R. 4008. A bill to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. CAMP of Michigan, Mr. CONYERS, Mr. DINGELL, Mr. EHLERS, Mr. HOEKSTRA, Mr. KILDEE, Ms. KILPATRICK, Mr. KNOLLENBERG, Mr. LEVIN, Mr. MCCOTTER, Mr. ROGERS of Michigan, Mr. STUPAK, Mr. UPTON, and Mr. WALBERG):

H.R. 4009. A bill to designate the facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, as the "Turrill Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of Mississippi:

H.R. 4010. A bill to designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the "Minnie Cox Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. UDALL of Colorado (for himself and Mr. PEARCE):

H.R. 4011. A bill to facilitate the reclamation of abandoned hardrock mines, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. WILSON of New Mexico:

H.R. 4012. A bill to establish a grant program to provide Native American veterans with language resources to facilitate access to medical services provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. WILSON of South Carolina (for himself, Mr. BROWN of South Carolina, Mr. BARRETT of South Carolina, Mr. CLYBURN, Mr. INGLIS of South Carolina, Mr. SPRATT, Ms. MOORE of Wisconsin, Mr. HAYES, Ms. BORDALLO, Mr. CONAWAY, Mr. ADERHOLT, Mr. BARTLETT of Maryland, Mr. ROTHMAN, Mr. COHEN, Mr. LAMPSON, Mr. TOWNS, Mr. MCINTYRE, Mr. ROGERS of Michigan, Mr. JOHNSON of Georgia, Mr. ISSA, Mr. BARTON of Texas, Mr. MCCOTTER, Mr. AKIN, and Mr. WALBERG):

H. Res. 777. A resolution offering condolences regarding the tragic fire in Ocean Isle

Beach, North Carolina, which killed six University of South Carolina students and one student from Clemson University on October 28, 2007; to the Committee on Oversight and Government Reform.

By Ms. ZOE LOFGREN of California (for herself, Mr. DREIER, Ms. PELOSI, Mr. WAXMAN, Mr. THOMPSON of California, Mr. HERGER, Mr. DANIEL E. LUNGREN of California, Mr. DOOLITTLE, Ms. MATSUI, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Ms. LEE, Mrs. TAUSCHER, Mr. MCNERNEY, Mr. LANTOS, Mr. STARK, Ms. ESHOO, Mr. HONDA, Mr. FARR, Mr. CARDOZA, Mr. RADANOVICH, Mr. COSTA, Mr. NUNES, Mr. MCCARTHY of California, Mrs. CAPPS, Mr. GALLEGLY, Mr. MCKEON, Mr. SHERMAN, Mr. BERMAN, Mr. SCHIFF, Mr. BECERRA, Ms. SOLIS, Mrs. WATSON, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, Mr. ROYCE, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. BACA, Mr. CALVERT, Mrs. BONO, Mr. ROHR-ABACHER, Ms. LORETTA SANCHEZ of California, Mr. CAMPBELL of California, Mr. ISSA, Mr. BILBRAY, Mr. FILNER, Mr. HUNTER, Mrs. DAVIS of California, Ms. WATERS, Ms. HARMAN, Mr. THOMPSON of Mississippi, and Ms. RICHARDSON):

H. Res. 778. A resolution honoring the first responders and supporting the victims of the Southern California wildfires; to the Committee on Oversight and Government Reform, considered and agreed to.

By Mr. LATHAM (for himself, Mr. COSTA, Mrs. MUSGRAVE, and Ms. HERSETH SANDLIN):

H. Res. 779. A resolution recognizing the 100th anniversary of the American Society of Agronomy; to the Committee on Agriculture.

By Mr. CAPUANO (for himself, Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. MCGOVERN, Mr. TIERNEY, Mr. DELAHUNT, Mr. LYNCH, Ms. TSONGAS, Ms. SHEA-PORTER, Mr. HODES, Mr. ALLEN, Mr. MICHAUD, Mr. WELCH of Vermont, Mr. KENNEDY, Mr. LANGEVIN, Ms. DELAURIO, Mr. SHAYS, Mr. LARSON of Connecticut, Mr. COURTNEY, and Mr. MURPHY of Connecticut):

H. Res. 782. A resolution expressing the sense of the House with respect to the Boston Red Sox victory in the 2007 Major League Baseball World Series; to the Committee on Oversight and Government Reform.

By Mr. LATOURETTE (for himself and Mr. CALVERT):

H. Res. 783. A resolution expressing the sense of the House of Representatives that the Department of Veterans Affairs National Cemetery Administration employees, volunteers, and veterans' service organizations that perform funeral honors and memorial honor details should be permitted to recite the 13 steps to fold an American flag (known as the "13-fold recital") at any national cemetery if requested by the family of the deceased; to the Committee on Veterans' Affairs.

By Mr. MCCARTHY of California:

H. Res. 784. A resolution recognizing and honoring, in community post offices, the service of men and women of the U.S. Armed Forces deployed overseas; to the Committee on Oversight and Government Reform.

By Mr. ORTIZ (for himself, Mr. HALL of Texas, Mr. AL GREEN of Texas, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RODRIGUEZ, Mr. REYES, Mr. DOGGETT, Mrs. NAPOLITANO, Mr. SMITH of Texas, Mr.

SERRANO, Mr. GRIJALVA, Mr. PAUL, Mr. EDWARDS, Mr. HENSARLING, Ms. JACKSON-LEE of Texas, Mr. McCAUL of Texas, Mr. PASTOR, Mr. SHUSTER, Mr. POE, Mr. BARTON of Texas, Mr. LAMPSON, Mr. GONZALEZ, Mr. CONAWAY, Mr. CUELLAR, Mr. GENE GREEN of Texas, Mrs. BOYDA of Kansas, Mr. SAXTON, and Mr. SALAZAR):

H. Res. 785. A resolution recognizing the 100th Anniversary of Robstown, Texas; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WALSH of New York introduced a bill (H.R. 4013) for the relief of Maria Manzano; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 135: Mr. BISHOP of Georgia.
H.R. 405: Mr. TERRY.
H.R. 460: Mr. PAUL, Mr. SERRANO, and Ms. ZOE LOFGREN of California.
H.R. 464: Mr. SMITH of Washington.
H.R. 503: Mr. GENE GREEN of Texas.
H.R. 538: Mr. PAUL and Mr. BACA.
H.R. 620: Mr. RYAN of Ohio.
H.R. 699: Mr. CAMP of Michigan.
H.R. 749: Ms. FOXX.
H.R. 758: Mr. PLATTS.
H.R. 882: Mr. ELLSWORTH, Mr. HARE, and Mr. BISHOP of New York.
H.R. 887: Mr. MCGOVERN, Mr. TIBERI, and Mr. SIRES.
H.R. 943: Mr. THOMPSON of California.
H.R. 997: Mr. JORDAN of Ohio and Mr. BAKER.
H.R. 1110: Mr. MOLLOHAN, Mr. COURTNEY, Mr. ROGERS of Kentucky, and Mr. DICKS.
H.R. 1174: Mr. HARE.
H.R. 1201: Mr. PICKERING.
H.R. 1236: Ms. GIFFORDS.
H.R. 1237: Ms. SOLIS, Mr. ISSA, Ms. KAPTUR, and Mr. HALL of New York.
H.R. 1275: Mr. BECERRA.
H.R. 1280: Mr. MOORE of Kansas.
H.R. 1282: Mrs. MCCARTHY of New York.
H.R. 1283: Mr. YARMUTH.
H.R. 1293: Mr. LANGEVIN.
H.R. 1304: Ms. SLAUGHTER and Ms. WASSERMAN SCHULTZ.
H.R. 1420: Ms. KAPTUR and Ms. CARSON.
H.R. 1621: Ms. BALDWIN.
H.R. 1644: Mr. SHULER.
H.R. 1647: Mr. SERRANO, Mr. ROHRBACHER, and Ms. LEE.
H.R. 1655: Mr. SOUDER.
H.R. 1713: Mr. BRADY of Pennsylvania.
H.R. 1732: Mr. MOORE of Kansas.
H.R. 1738: Mr. BAIRD.
H.R. 1742: Mr. DAVID DAVIS of Tennessee.
H.R. 1884: Mr. KING of Iowa, Mr. SALAZAR, Ms. LORETTA SANCHEZ of California, and Mr. FRANK of Massachusetts.
H.R. 1927: Mr. LANGEVIN.
H.R. 1937: Mrs. BLACKBURN and Mr. ALTMIRE.
H.R. 1975: Mr. HARE.
H.R. 1983: Mr. KING of Iowa.
H.R. 1992: Ms. BERKLEY, Mr. RODRIGUEZ, Mr. MILLER of North Carolina, Ms. ROYBAL-ALLARD, Mr. BOSWELL, Mr. PALLONE, and Mr. OLVER.
H.R. 2032: Ms. CORRINE BROWN of Florida.
H.R. 2045: Mr. GERLACH.
H.R. 2073: Mr. COHEN.

H.R. 2158: Mr. KNOLLENBERG.
H.R. 2164: Mr. CALVERT.
H.R. 2230: Mr. MATHESON.
H.R. 2234: Ms. KILPATRICK and Mr. LANGEVIN.
H.R. 2266: Mr. LEWIS of Georgia.
H.R. 2327: Mr. CAMPBELL of California and Ms. ROYBAL-ALLARD.
H.R. 2329: Mr. ALTMIRE.
H.R. 2405: Mr. BACA and Mr. BARTLETT of Maryland.
H.R. 2406: Mr. UDALL of Colorado and Mr. SESTAK.
H.R. 2464: Mr. BURGESS.
H.R. 2511: Ms. DEGETTE and Mr. MCGOVERN.
H.R. 2514: Mr. BOUCHER, Ms. MOORE of Wisconsin, Mr. EMANUEL, Mr. SALAZAR, and Mr. HINOJOSA.
H.R. 2516: Mr. SESTAK.
H.R. 2677: Mr. GERLACH.
H.R. 2695: Mrs. BOYDA of Kansas, Mr. LARSON of Connecticut, and Mr. FALCOMA-VAEGA.
H.R. 2758: Mr. COHEN.
H.R. 2762: Mr. CARNAHAN, Ms. CASTOR, Ms. SOLIS, Mr. SESTAK, Ms. SUTTON, Mr. GOODE, Mr. AL GREEN of Texas, Mr. MURTHA, Mr. MARKEY, Mr. PEARCE, Mr. KAGEN, Mr. BUCHANAN, Mr. BISHOP of Georgia, Mr. MITCHELL, Mr. PATRICK MURPHY of Pennsylvania, Mr. PETERSON of Minnesota, Mr. WYNN, and Mr. BECERRA.
H.R. 2768: Ms. CLARKE and Mr. MATHESON.
H.R. 2862: Mr. SHAYS.
H.R. 2878: Mr. SPACE, Mr. LANTOS, Mr. GOHMERT, Mr. STARK, Mr. MATHESON, Mr. MCNERNEY, Mr. PASTOR, Mr. COHEN, Mrs. TAUSCHER, Mr. FRANKS of Arizona, and Mr. UDALL of Colorado.
H.R. 2914: Mr. GERLACH and Mr. GENE GREEN of Texas.
H.R. 2943: Mr. WEINER, Mr. INSLEE, Mr. CARDOZA, Mr. COSTA, Mr. HASTINGS of Washington, Ms. GIFFORDS, and Ms. SCHAKOWSKY.
H.R. 2996: Mr. JONES of North Carolina.
H.R. 3005: Mr. GOODE and Mr. CUMMINGS.
H.R. 3029: Mr. ENGEL, Ms. LEE, and Mr. VAN HOLLEN.
H.R. 3036: Mr. SCOTT of Virginia and Mr. MORAN of Virginia.
H.R. 3042: Mr. OBERSTAR and Mr. BOUCHER.
H.R. 3045: Mr. TOWNS, Ms. MATSUI, Ms. WOOLSEY, Mr. UDALL of Colorado, Mr. DEFazio, and Ms. BALDWIN.
H.R. 3053: Mr. KUCINICH.
H.R. 3119: Mr. HONDA, Mr. McDERMOTT, Ms. SHEA-PORTER, Mr. TOWNS, and Mr. FRANK of Massachusetts.
H.R. 3179: Mr. BURTON of Indiana and Mr. TERRY.
H.R. 3298: Mr. LANGEVIN.
H.R. 3326: Mr. CARNAHAN.
H.R. 3348: Mr. FOSSELLA.
H.R. 3378: Mr. BLUMENAUER, Mr. ENGLISH of Pennsylvania, Ms. CLARKE, Ms. CORRINE BROWN of Florida, Ms. HIRONO, Mr. ABERCROMBIE, and Mr. MEEKS of New York.
H.R. 3403: Mr. WELLER.
H.R. 3457: Mr. POE and Mr. BRADY of Texas.
H.R. 3461: Mr. MCINTYRE, Mrs. BLACKBURN, Mrs. LOWEY, and Mr. SPACE.
H.R. 3481: Mr. GONZALEZ.
H.R. 3488: Mr. MCCOTTER.
H.R. 3495: Mrs. LOWEY, Mrs. MALONEY of New York, and Mr. MELANCON.
H.R. 3531: Mr. ALEXANDER.
H.R. 3533: Mr. PETERSON of Minnesota, Mr. ALTMIRE, and Mr. McCAUL of Texas.
H.R. 3541: Mr. TIM MURPHY of Pennsylvania.
H.R. 3543: Mr. ROTHMAN and Ms. SUTTON.
H.R. 3548: Mr. SPACE, Mr. MORAN of Virginia, and Mrs. DAVIS of California.
H.R. 3561: Mr. FARR.
H.R. 3585: Mr. COURTNEY.
H.R. 3631: Mr. HOLT.
H.R. 3633: Ms. HOOLEY.

H.R. 3650: Mr. SOUDER, Mr. PENCE, and Mr. GOODLATTE.
H.R. 3665: Mr. GONZALEZ.
H.R. 3689: Mr. SALAZAR and Mr. PLATTS.
H.R. 3691: Ms. BORDALLO, Mr. ALTMIRE, Mr. JEFFERSON, Mr. CHANDLER, and Mr. LYNCH.
H.R. 3692: Mr. GONZALEZ.
H.R. 3696: Mr. ROGERS of Alabama and Mr. YARMUTH.
H.R. 3697: Mr. FOSSELLA and Mr. COOPER.
H.R. 3700: Mr. HARE, Mr. PETERSON of Minnesota, and Mr. GRIJALVA.
H.R. 3707: Mr. MCCOTTER.
H.R. 3750: Mr. HINOJOSA, Ms. KAPTUR, and Mr. SPACE.
H.R. 3781: Mr. MANZULLO.
H.R. 3786: Mr. KAGEN, Mr. TERRY, and Mr. SHULER.
H.R. 3797: Mr. DENT and Mr. CHANDLER.
H.R. 3800: Mr. FERGUSON and Mr. TOWNS.
H.R. 3820: Ms. SUTTON.
H.R. 3833: Mr. MCCOTTER.
H.R. 3845: Mr. KAGEN, and Mr. McCAUL of Texas.
H.R. 3846: Ms. MATSUI, Mr. FILNER, Mr. ABERCROMBIE, Mr. DAVIS of Alabama, Mr. SCOTT of Georgia, and Mr. RYAN of Ohio.
H.R. 3852: Mr. ELLSWORTH and Mr. LEWIS of Kentucky.
H.R. 3861: Ms. BERKLEY and Mr. LATHAM.
H.R. 3865: Mr. PLATTS and Mr. McNULTY.
H.R. 3914: Mrs. CAPPS.
H.R. 3916: Ms. GRANGER.
H.R. 3947: Mr. BOUSTANY, Mr. TERRY, Mr. KIND, and Mr. ABERCROMBIE.
H.R. 3951: Mr. HASTERT.
H. J. Res. 54: Mr. CUMMINGS, Mr. GONZALEZ, Mr. ROTHMAN, Mr. SPACE, Mr. GALLEGLY, Mr. FORBES, and Mr. KING of New York.
H. Con. Res. 198: Mr. RUSH.
H. Con. Res. 211: Mr. HASTINGS of Florida, Ms. WATSON, Ms. KILPATRICK, Mr. CLEAVER, Mr. WATT, Ms. CLARKE, Mr. LEWIS of Georgia, Mr. CLAY, Mr. FATTAH, Mr. CUMMINGS, Mr. BUTTERFIELD, Mr. CLYBURN, Mr. ELLISON, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. PASTOR, Mr. SCOTT of Virginia, Ms. LEE, Mr. AL GREEN of Texas, Mr. MANZULLO, Mr. PASCRELL, Ms. BORDALLO, Mr. McNULTY, Mr. UPTON, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Mr. DAVIS of Alabama, Ms. CORRINE BROWN of Florida, Ms. MOORE of Wisconsin, Mr. THOMPSON of Mississippi, Mr. RUSH, Mrs. JONES of Ohio, Mr. CONYERS, Mr. BISHOP of Georgia, Mr. COHEN, Mrs. CHRISTENSEN, Mr. MEEK of Florida, Ms. NORTON, Mr. TOWNS, Mr. RANGEL, Mr. JEFFERSON, Mr. BAIRD, Mr. KILDEE, Mr. WAXMAN, and Mr. BURTON of Indiana.
H. Con. Res. 214: Mr. GRIJALVA, Mr. FATTAH, Mrs. JONES of Ohio, Mrs. CHRISTENSEN, and Mr. MARKEY.
H. Con. Res. 221: Mr. GONZALEZ.
H. Con. Res. 235: Mr. CULBERSON.
H. Con. Res. 238: Mr. COHEN, Mr. DONNELLY, and Mr. MCGOVERN.
H. Con. Res. 239: Mr. RYAN of Ohio, Mr. TERRY, and Mr. KUCINICH.
H. Res. 111: Mr. MORAN of Kansas, Mr. CAMP of Michigan, and Mr. MEEKS of New York.
H. Res. 163: Mr. COURTNEY and Ms. SCHAKOWSKY.
H. Res. 335: Mr. ALLEN, Mr. ROSS, Mr. MARKEY, Mr. ENGEL, Mr. DAVIS of Illinois, Ms. WATSON, Mr. TOWNS, Mr. RUSH, Ms. DEGETTE, Ms. HARMAN, Ms. SOLIS, Mr. INSLEE, Mr. BARROW, Mr. HILL, Ms. MOORE of Wisconsin, Mr. PASCRELL, Mr. BOUCHER, Mr. WYNN, Mr. GENE GREEN of Texas, Mr. GONZALEZ, Mr. WEINER, Mrs. MCCARTHY of New York, and Mr. RODRIGUEZ.
H. Res. 435: Mr. ALTMIRE and Ms. ROSELEHTINEN.
H. Res. 556: Mr. GRAVES, Mr. CARNAHAN, and Mr. WOLF.
H. Res. 656: Mr. SHULER and Mr. ENGLISH of Pennsylvania.

H. Res. 695: Mr. TERRY, Mr. HENSARLING, Mr. KINGSTON, Mr. HOLDEN, Mrs. CHRISTENSEN, Mr. DAVID DAVIS of Tennessee, Mr. KELLER, Mr. BURGESS, Mr. ROTHMAN, Mr. BRADY of Texas, Ms. GIFFORDS, Mr. MORAN of Virginia, Mr. SAXTON, Mr. REYNOLDS, Mr. BILBRAY, Mr. HOEKSTRA, Mr. PAYNE, Mr. FOSSELLA, and Mr. LEWIS of California.

H. Res. 743: Mr. BISHOP of New York.

H. Res. 744: Mr. KAGEN.

H. Res. 754: Mr. ENGLISH of Pennsylvania and Ms. DEGETTE.

H. Res. 760: Mr. DONNELLY and Mr. GEORGE MILLER of California.

H. Res. 768: Mr. CROWLEY and Mr. MCGOVERN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative Rahall or a designee to H.R. 2262, the Hardrock Mining and Reclamation Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

The amendment to be offered by Representative MCCRERY or a designee to H.R.

3920, the Trade and Globalization Assistance Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3547: Mr. WYNN, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Mr. SCOTT of Georgia, and Mr. CUMMINGS.